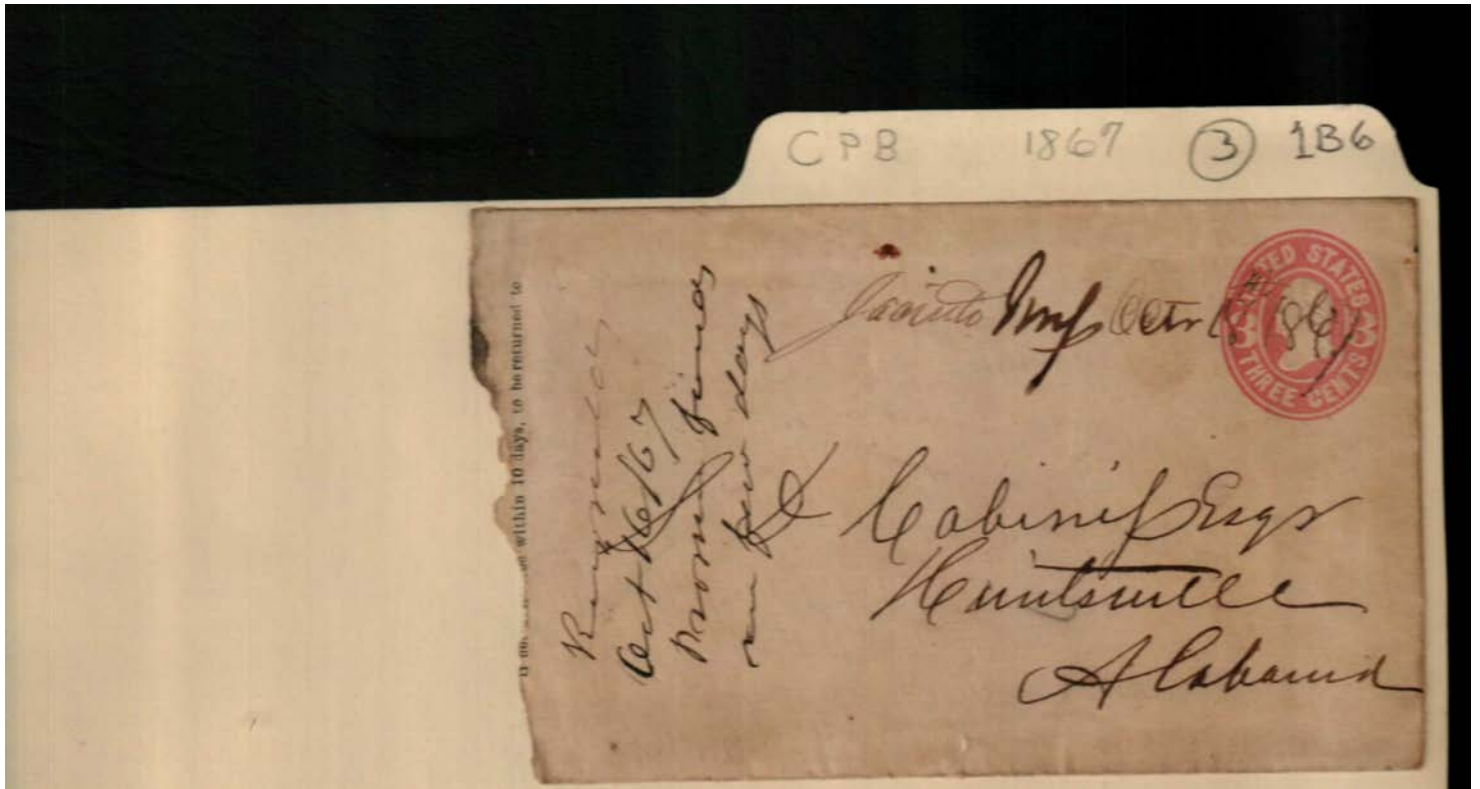


Frances Cabaniss Roberts Collection: Series 1, Subseries B, Box 6, Folder 3

Legal and court documents, 1867

Image 1 r01b06-03-000-0001 [Contents](#) [Index](#) [About](#)



Names:

Cabiness, S. D.

Places:

Jacinto, MS

Types:

envelope

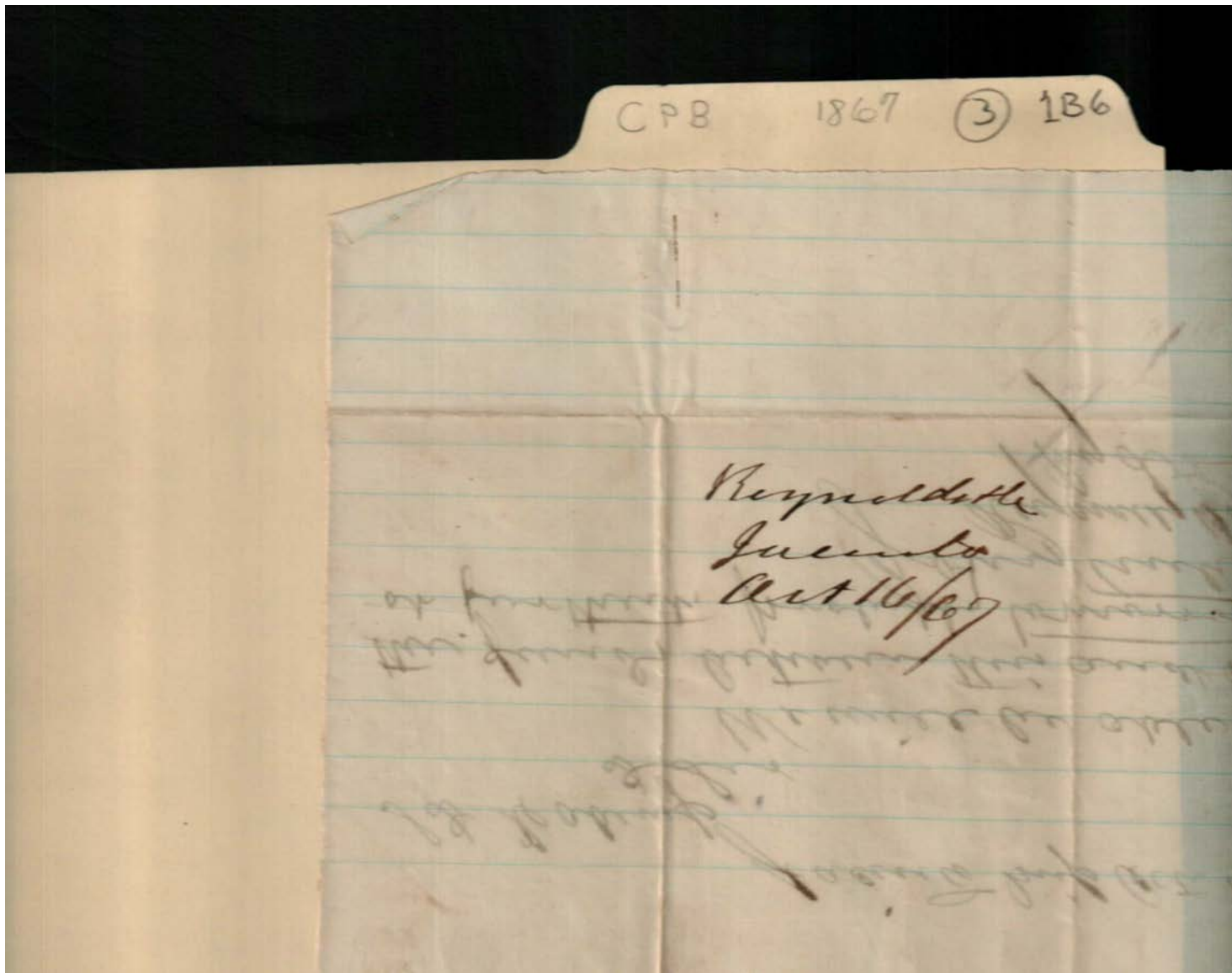
Dates:

Oct 16, 1867

Frances Cabaniss Roberts Collection: Series 1, Subseries B, Box 6, Folder 3

Legal and court documents, 1867

Image 2 r01b06-03-000-0002 [Contents](#) [Index](#) [About](#)



Types:
scrap

CPB 1867 (3) 1B6

Jacinto Miss Oct 16th 1867

S. D. Cabaniss

S. D. Davis

We will be able to ship
the funds between this and Monday
at furthest, probably tomorrow.

Yours truly
Reynolds Cabaniss
By S. D. Reynolds

Names:

Cabaniss, S. D.

Davis,

Reynolds, L. P.

Places:

Jacinto, MS

Types:

correspondence

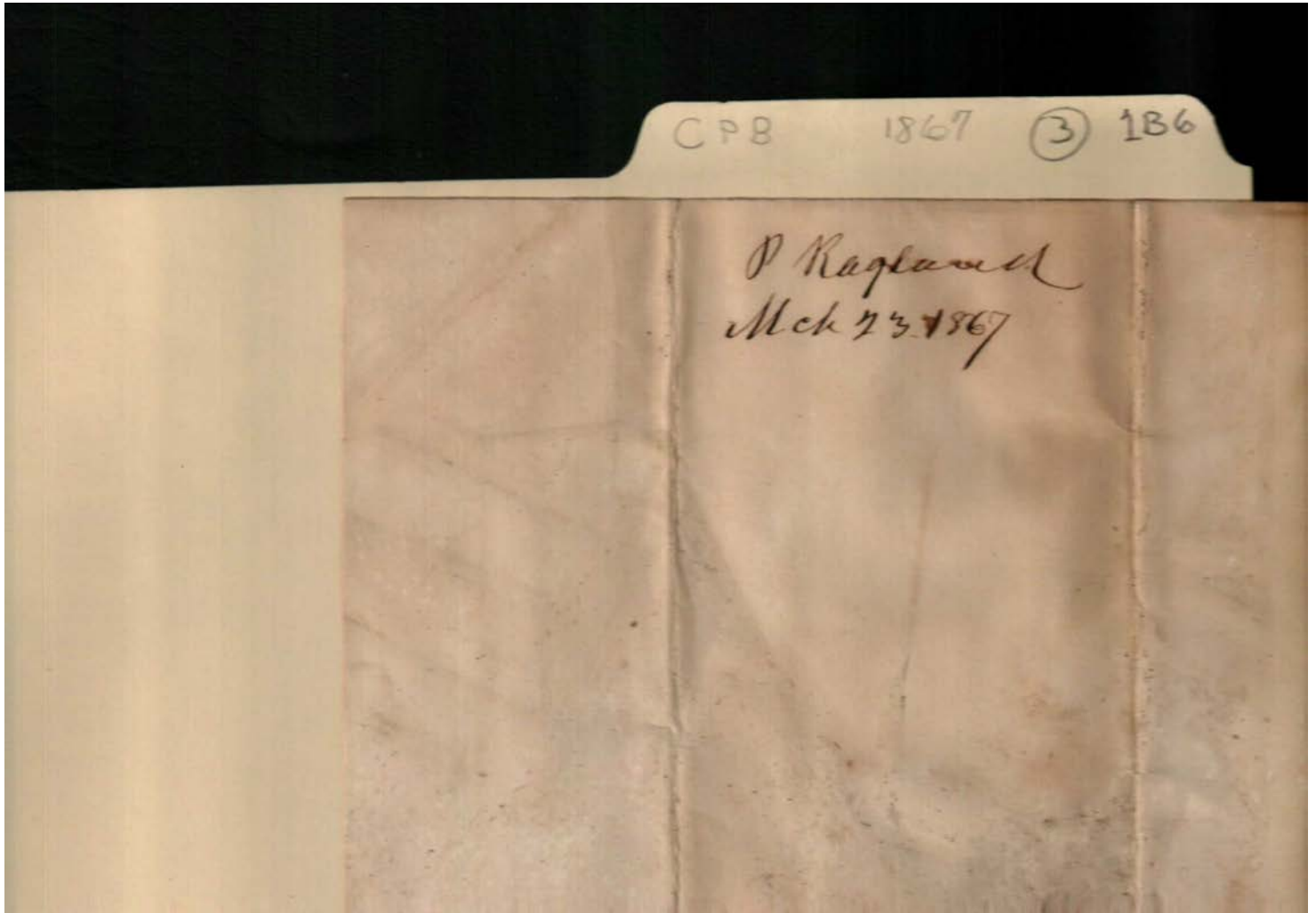
Dates:

Oct 16, 1867

Frances Cabaniss Roberts Collection: Series 1, Subseries B, Box 6, Folder 3

Legal and court documents, 1867

Image 4 r01b06-03-000-0004 [Contents](#) [Index](#) [About](#)



Names:

Ragland, P.

Types:

memo

Dates:

Mar 23, 1867

Frances Cabaniss Roberts Collection: Series 1, Subseries B, Box 6, Folder 3

Legal and court documents, 1867

Image 5 r01b06-03-000-0005 [Contents](#) [Index](#) [About](#)

CPB 1867 (3) 1B6

as you may think best. If you
have no objection I will
I will make out another. If
you also think best I will
on the Insep- ^{as well as the} ~~document~~ ^{document}
it might be better to publish
in some of the Nashville papers.
You are the party most interested,
therefore in case you judge
convenient in this matter and
if you are another you shall
understand.

Yours truly
P. Ragland

Names:

Ragland, P.

Types:

correspondence

CPB 1867 (3) 1B6

Aug 5/61 - Cash Rec of R Jamar note \$450.00
 Sept 17/61 Cash Rec of Jay Hunters note 500.00
 Oct 21/61 Cash Rec of Mrs W Thompson note 400.00
 Do not put from 1 Jany as to date 260.47.60
 Cr
 My Cash fr A Jale up 1857 + 8 (Rent of 1/2) 997.62
 on hand \$903.00

1862 Jan 1 - Rec'd on acc of my salary
 One nine hundred & three ³⁰/₁₀₀ dol
 less on above
 Also forty dollar collect of Jos Hig
 ginbotham Dec 23 1861
 Jan 1862. P. H. Cabaniss

Accounting Record

Names:

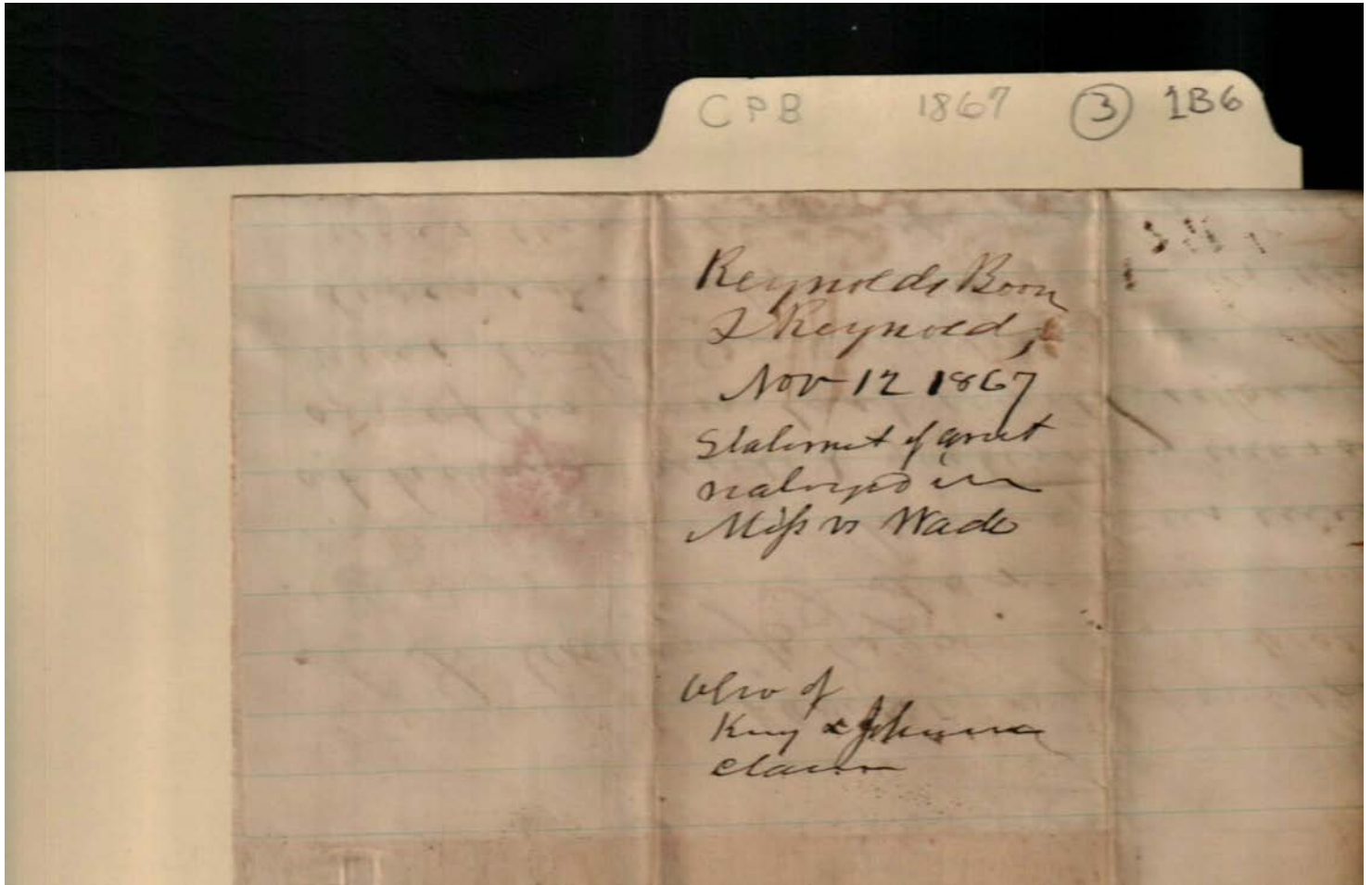
Cabiniss, S. D.
 Higginbotham, J.

Hunter, J.
 Jamar, R.

Tate, A.
 Thompson, B

Types:

memo



Names:

Boone,
Johnson,

King,
Reynolds,

Wade,

Types:

memo

CPB 1867 (3) 186

Jacinto Miss Nov 12 1867

S D Cabaniss Esqr

Sir

None of us were
at home until yesterday was some
ago after your last writt when it
was todole to send you the
desired information as that
was the day of your sale
Had we known the state of your
case there the statement would
have been furnished
Cal Boone did not return until
Tuesday last. He deposited the
money with Ross Bynum old
of Bilzgi who used it in cotton
speculation, & have sent for it
at Mobile Ala & will get it
this week when it will be
sent as directed. They are
all right & there is no doubt
about it coming

Names:

Boone, Col.

Bynum, Ross

Cabiness, S. D.

Places:

Jacinto, MS.

Types:

correspondence

Dates:

Nov 12, 1867

CPB 1867 (3) 1B6

Unionville Jan 8th 1867

Septimus Cabaniss Esq

Dear Sir as you are my old friend & acquaintance I address you some lines upon the subject of a little business I wish attended to in your city if you think it can be done profitable when I give you the case. During the war in '63 a cargo of your fine flour was as one of the partners of a firm in this County when three or four hundred dollars in a deliberate attempt which the other members of the firm wish to hold me responsible for & I wish to know if the Courts of your State would give me a judgment for the amount found to me in this event & then a file also against him in favor of me by that.

As I can receive from him you will please let me know if you wish to do so & I will give you his name state of the case and the amount of my investment also let me know what the Broker & some others in your town and perhaps we can make some money by that of motion let me hear from you immediately

Yours with Respect
J. H. Brown

To S. Cabaniss Esq

It also let me know what amount of cherry tobacco is worth this place require of some of the heavy men what the above articles can be sold for there and if it will pay they can open a trade with me for any of the produce of this County yours
also let me respectfully
now what good
cherry tobacco is worth
J. H. Brown

Names:

Brown, J. R.

Cabiniss, Septimus

Places:

Unionville

Types:

correspondence

Dates:

Jan 08, 1867

CPB 1867 (3) 186

Dr Tho R Williams

In acf with Scroggs, Dungan & Co.

1867 Jun 14	Balance acf herewith	4792.67	
	" J R Williams & Co 1/2	3202.59	
	" Bill due Aug 24. 1861	2750.	
	Int	1408.60	4158.60
	Bill due Feb 15/59	2307.87	
	Int	1538.06	3845.93
	Note due Aug 1. 1854	227.64	
	Int	239.29	466.93
			16466.72

Names:

Williams, Thomas R.

Types:

statement

Dates:

Jun 14, 1867

CPB 1867 (3) 186

Lands for Sale

By virtue of a decree of the Chancery Court for the 23rd Chancery District of the State of Alabama to me directed as Registrar of said Court, I will proceed to sell for cash to the highest bidder at the Court house door on the town of Bellefonte

On the 1st Monday in February 1867 (which being the 2nd day of said month) the following described land to enforce vendee's lien in the cause of J. S. Cabanis vs Executor of Samuel Townsend deceased Complainant against Annie St. George Defendant to wit

The South East quarter of the North West quarter. The West half of the North West quarter. The West half of the North East quarter and the South half of the North West quarter of Section five. The North West quarter and the West half of the North West quarter of Section nine. Section Eight. The East half of the North East quarter, the East half of the North West quarter, the South West quarter of the North East quarter, the North East quarter of the North West quarter, the East half of the North West quarter, the East half of the North East quarter, and the North West quarter of the North East quarter of Section seven, and the South East quarter and the South East quarter of the North West quarter of Section six. Also the East half of the North East quarter and the East half, and the West half of the North West quarter of Section thirteen. All in Township Three Range 10 East. Also the West half of the North East quarter of Section one. And the North half of the North East quarter of Section twelve in Township three Range 10 East. The West half of the North East quarter

Names:

Townsend, Samuel

Places:

Bellefonte, AL

Types:

correspondence

Dates:

Feb 1867

CPB 1867 (3) 186

of sections containing, Township three Range six East - And
the south East quarter of the South East quarter of Section
one Township three Range six East containing on all
²⁵²⁰
~~2520~~ acres more or less

Land here will be sold in the following
subdivisions to wit

The Homestead Tract containing	500 acres
" College " "	740 "
" Lewis " "	360 "
" Wilcox " "	370 "
" Harris " "	290 "
" Mountain " "	200 "
" Mill " "	40 "

and are situated on Section twenty a part of miles
from Bellefonte Station on the Memphis & Charleston
Rail Road. All of these tracts as far as having been
known for many years as the Ford and Francis plantation
The place now designated as the Homestead has on it
splendid brick house containing 7 or 8 rooms and
also a brick kitchen & wood house with all other
necessary out buildings. All of said tracts are
well supplied with timber and water and a single
plantation has not so beautiful as one of the best in
North Alabama. Those wishing to examine before
purchasing can apply to Mr John A. Shelton at
Bellefonte Station who will give them the necessary
information in order to do so.

P. Ragland
Requester C. B.

Names:

Ragland, P.

Shelton, John A.

Types:

correspondence

CPB 1867 (3) 186

Fayetteville Tenn, May 23rd 1867

S. D. Cabaniss Esq.

Yours of the 10th Inst^o is before me - In reply I will state from the Records of the Court, the judgments about which you inquire were rendered as follows

Thos. Thomson & S. S. Alexander vs C. E. Smith
12th Nov^r 1860 - for \$2627.65
Difa of 5th Dec^r 1861. Alie by Clk for tax 5th Dec^r 1866.
Fines 10th April 1867 -

Hampton & Cruise vs C. E. Smith
June 12th Nov^r 1860 - for \$1291.51
Difa of 10th April 1867.

Colcock, McCauley & Malloy vs C. E. Smith & others
June 9th Nov^r 1860 - for \$2581.73
Difa of 1st Dec^r 1861. Alie by Clk for tax 5th Dec^r 1866.
Alie 6th April 1867 -

The Difa in favor of Colcock, McCauley & Malloy of 6th April 1867. Came to my hands same day issued and same day levied on Dift. Smith's land -

The Difa of Thomson & Alexander - and Hampton and Cruise came to hand 10th April 1867, and on same day levied on same land, of Dift upon which I levied in favor of Colcock & Co.

Names:

Alexander, S. S.
Cabaniss, S. D.

Colcock
Hampton,

Malloy,
McCauley

Smith, C. E.
Thomason, H. A.

Places:

Fayetteville, TN

Types:

finance report

Dates:

May 23, 1867

CPB 1867 (3) 186

I have as yet taken no further steps since the Ball
and I am same what at a loss how to proceed
unless I proceed against the securities -
Please advise me what you desire in the
premises - Very Respectfully -
W. F. Taylor Sheriff
Lincoln Co Tenn -

Mr Cabaniss
I have I frankly admit - to you
that I am at a loss to know what to do in this case
against Lewis & others. I would as yet try to get them
out to know what I must do in this case. He refused
to give me any more in the case. Saying to me that you
were Court. I understand that I had in the meantime
the right of their claims to that land. If you will advise
you best. Which you understand you are going to do
you can see I am unable to know what to do in this case
if I proceed against the securities they will injure me from
siding with Lewis & others one instance. I wish to see all
in litigation. Which you are well aware of. I wish to do justice
to you and my securities. Hope you will advise me and give
me full instructions what to do. Remember at the same time
that I cannot come off the first Monday in July next. I wish
the securities to be taken care of. I wish to see as soon as I can
to go upon. If I think they will more than to take by their Repudiation
yours respectfully
William F. Taylor
May 23rd 1867
Sheriff

Sheriff

Names:

Cabaniss, S. D.

Taylor, William F.

Places:

Lincoln Co. TN

Types:

correspondence

Dates:

May 23, 1867

CPB 1867 (3) 186

Huntsville May 22 1867

Wm Cooper Esq
Huntsville

Dear Sir

I learn that a statute which I have not seen was passed by your present legislature, suspending the operation of all Statutes of limitation from May 6 1861 to Jan 1 1867. Do you construe it as applicable to the limitation of judgment liens upon land provided by Sec 2982 of your code? If liens lost by failure to levy & sell within 12 months, are not reinstated by that or any other statute of your state, then I beg your opinion as to the relative rights of two judgment creditors whose liens were lost both judgments having been obtained at the same term of the same Circuit Court, but one of whom execution was issued and levied Apr 6 1867 and the other issued and levied Apr 10 1867, and sale of land had under both May 6 1867, proceeds of sale not being sufficient to satisfy either judgment.

In Ohio where they have a similar statute similar to Sec 2982 of your code, it has been held that the liens being lost, the

Names:

Cooper, William

Places:

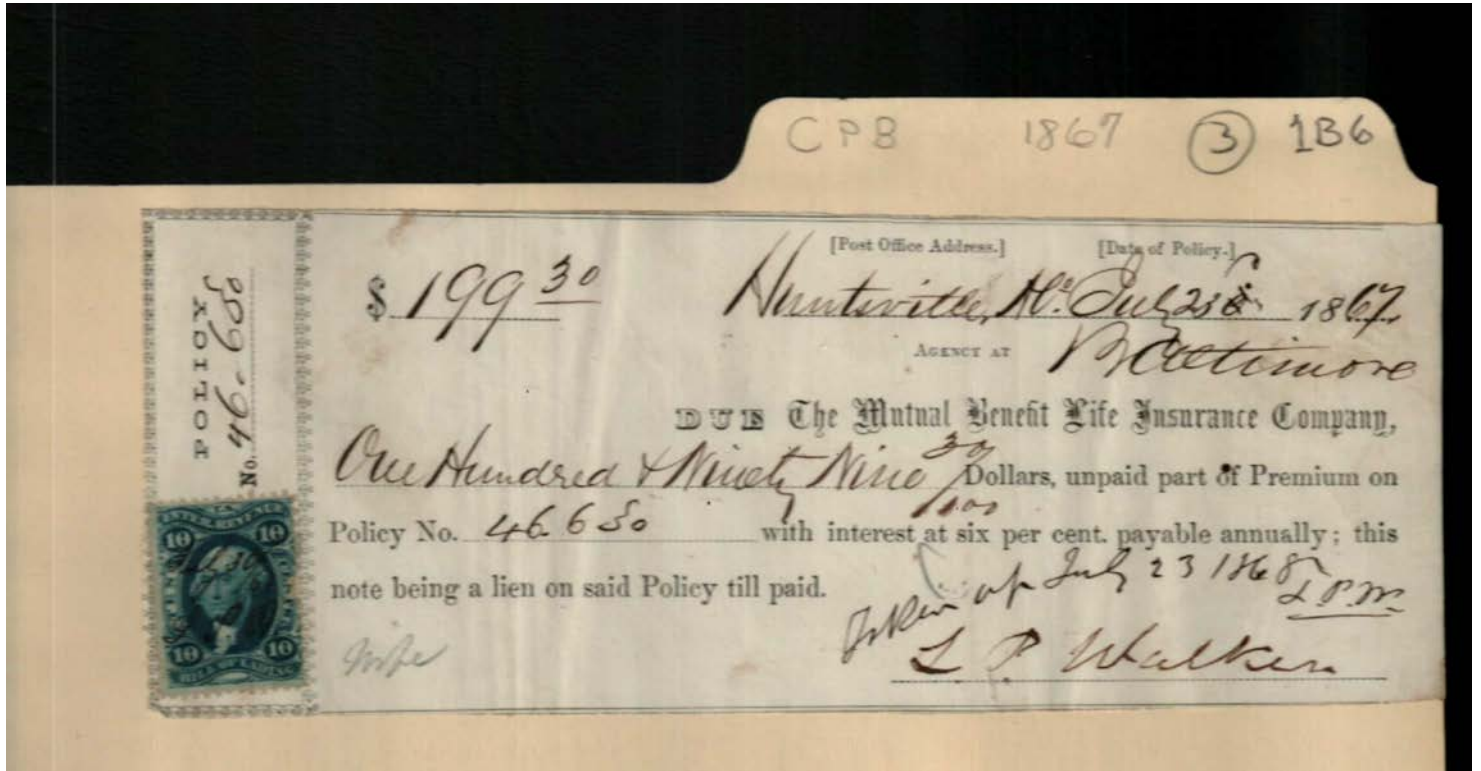
Huntsville, AL

Types:

correspondence

Dates:

May 22, 1867



Names:

Walker, L. P.

Places:

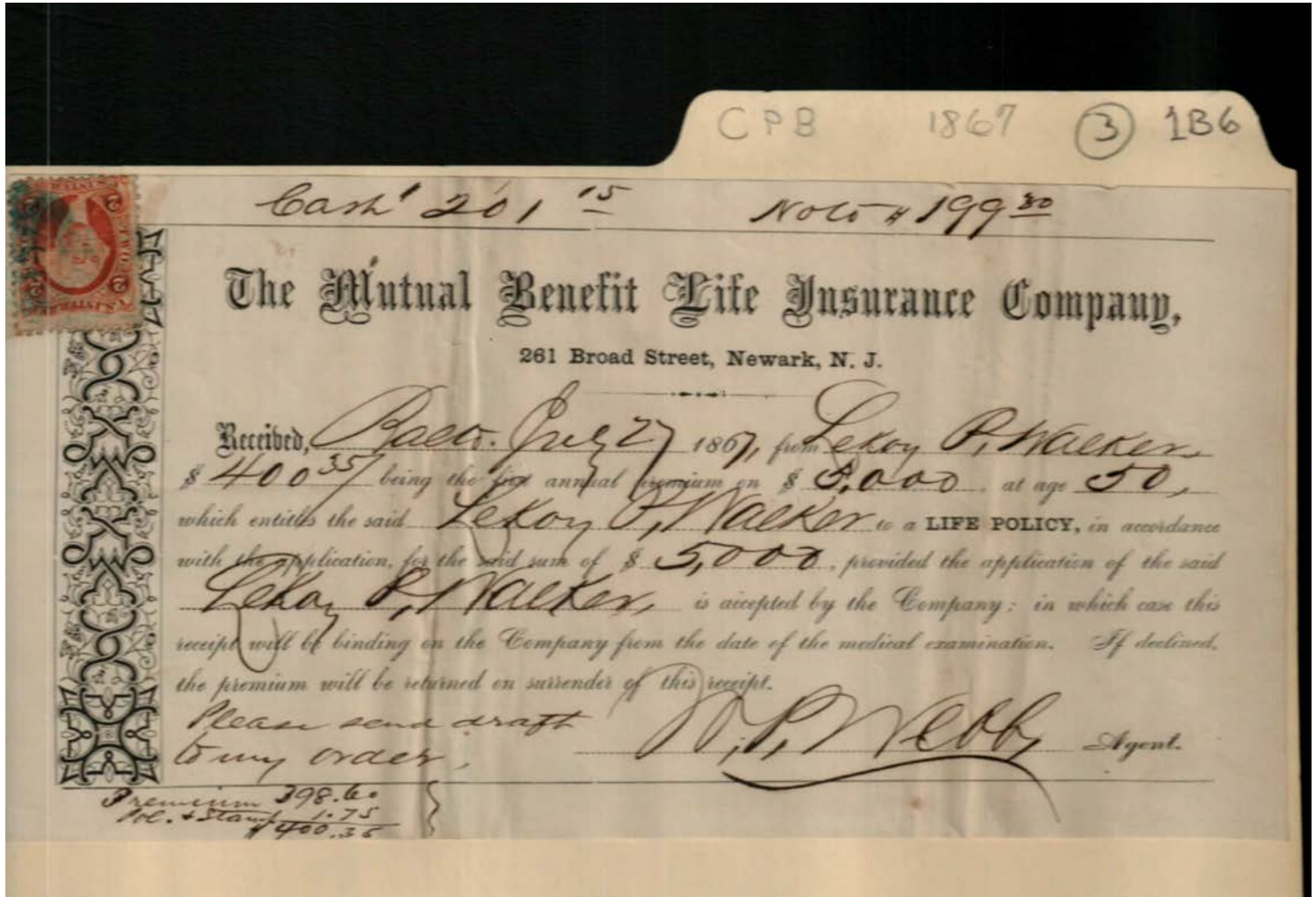
Huntsville, AL

Types:

receipt

Dates:

Jul 23, 1867



Names:

Walker, Leroy P.

Webb, W. P.

Places:

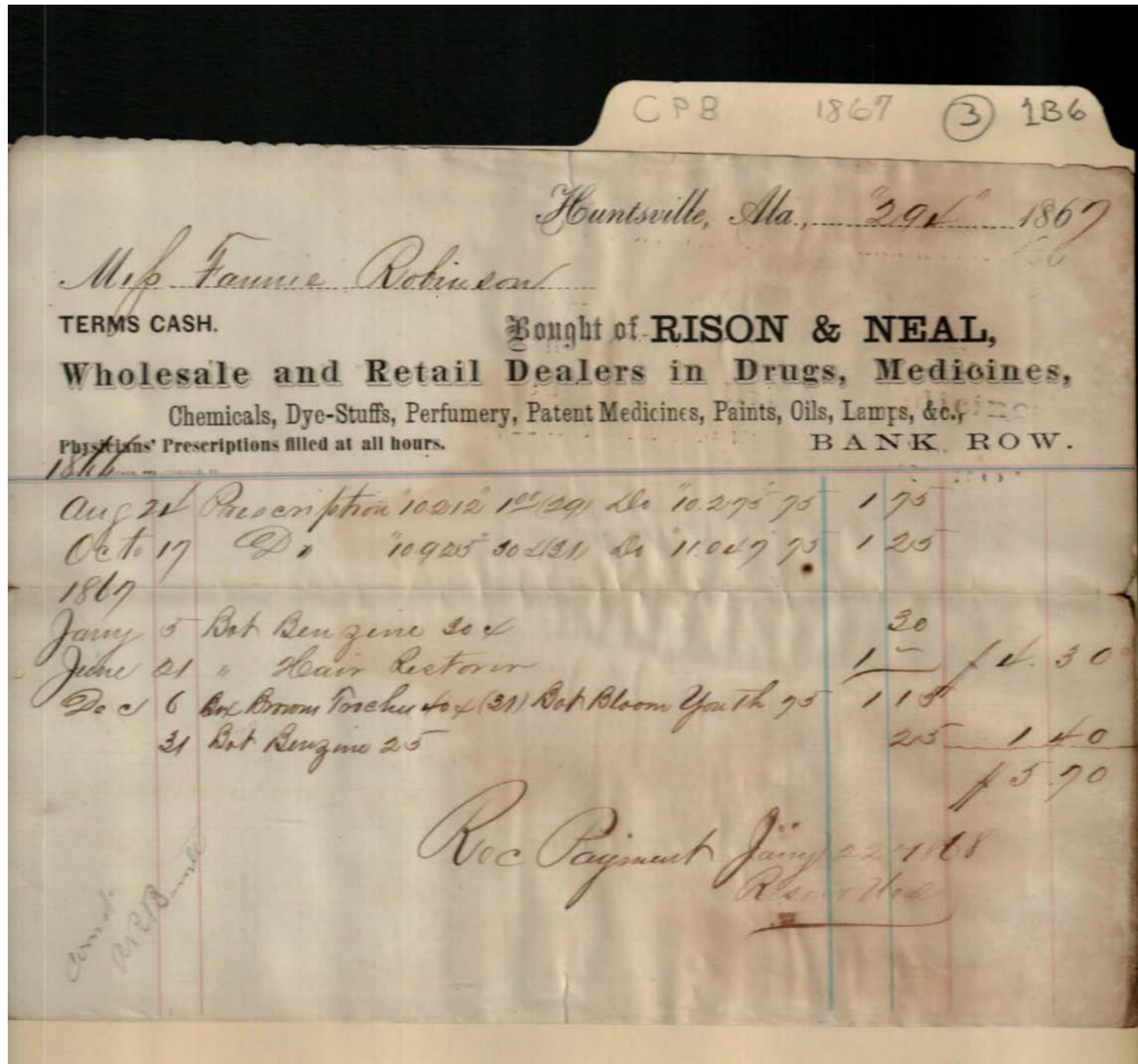
Newark, NJ

Types:

receipt

Dates:

Jul 27, 1867



Names:

Neal,

Rison,

Robinson, Fannie

Places:

Huntsville, AL

Types:

receipt

Dates:

Jan 22, 1868



Names:

Garth, W. W.

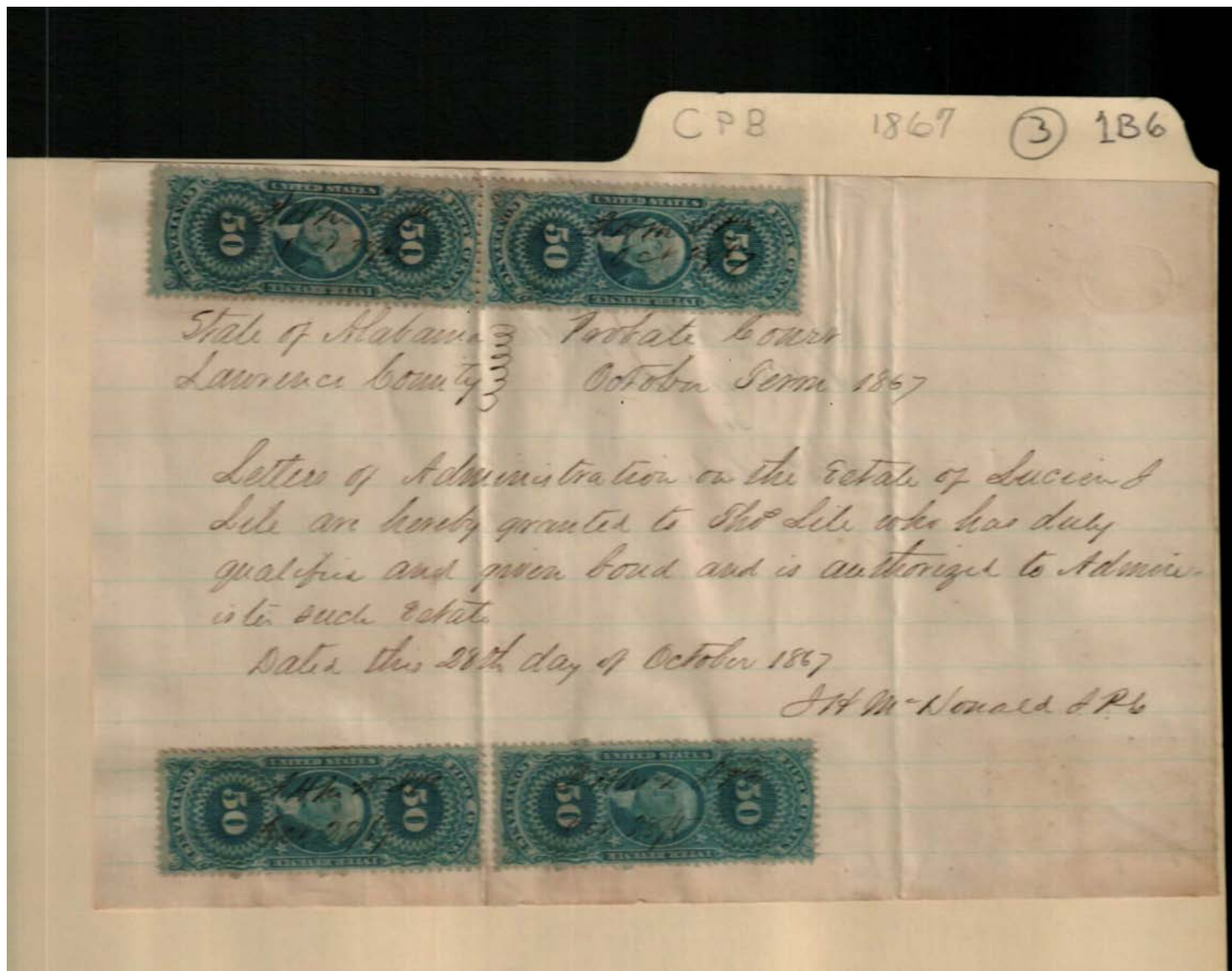
Lile, Tom

Places:

Courtland, AL

Types:

envelope



Names:

Lile, Lucian J.

Lile, Thomas

McDonald, J. H. M.

Places:

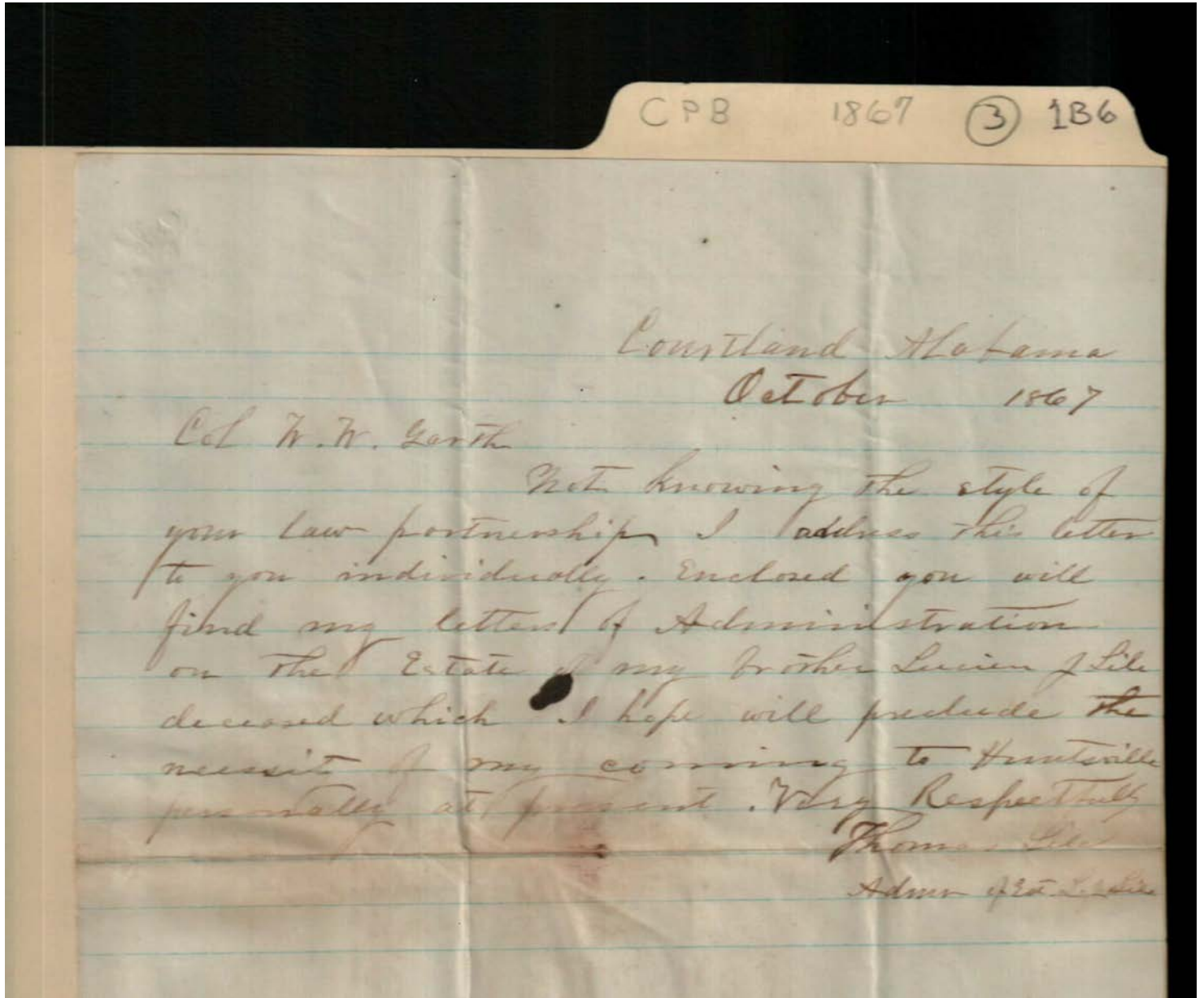
Lawrence Co., AL

Types:

correspondence

Dates:

Oct 1867



Names:

Garth, W. W., Col.

Lile, Thomas

Places:

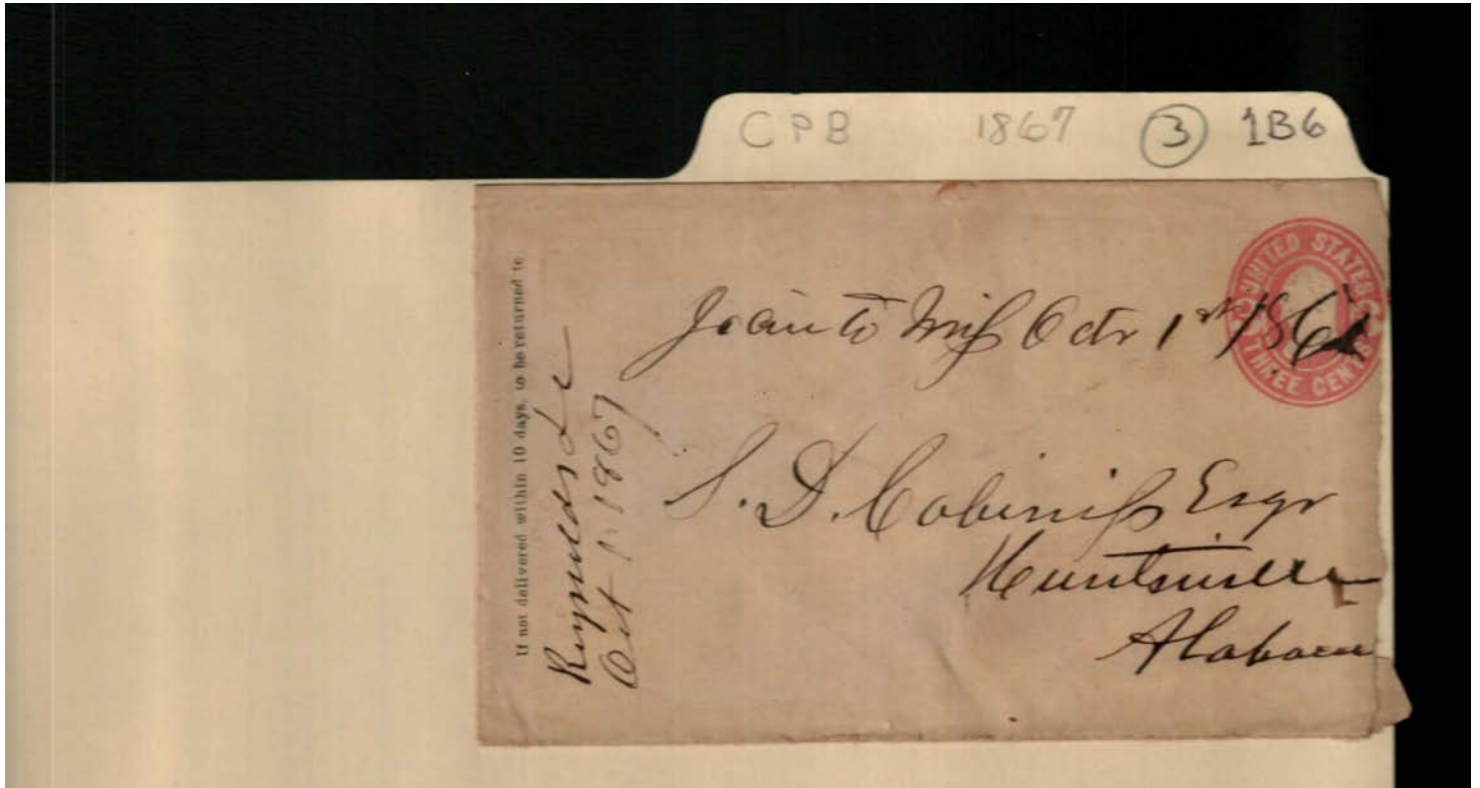
Courtland, AL

Types:

correspondence

Dates:

Oct 1867



Names:

Cabiness, S. D.

Places:

Jacinto, MS

Types:

envelope

Dates:

Oct 01, 1867

CPB 1867 (3) 186

Jacinto, Michu. 18th 1867

S. D. Cabaniss

Dear Sir

Our Court holds
three weeks generally and we
will take judgement in time
to send the bonds to you and
have them returned and ap-
proved by the Court for time
Will take judgement Wednesday
or Thursday and send you
by Friday mail and you
can notify King and both
bonds can be made and
returned by the mail from
Luka next Wednesday week
It is hardly necessary to say that
the bond should not be got up if
taken before the next week re-
deed yours truly

Reynolds, Boone & Reynolds

Names:

Boone,

Cabaniss, S. D.

Reynolds,

Places:

Jacinto, MS

Types:

correspondence

Dates:

Mar 18, 1867

CPB 1867 (3) 186

Jacinto Miss City 1st 1867

S. D. Cabaniss
 Sir

Two of our firm are absent and the third will be gone nearly all the time for the next three weeks. The writer will leave tomorrow and return by home to go down the Mobile road by the middle of next week. If you will forward a letter authorizing it I will express you the Wade money by the middle of next week from that road or I may probably send it to the M & A and do likewise. There would be no certainty in sending for it without waiting three or four days. If you reply promptly your answer will reach here next Saturday and will be sure to be here on my return. The money is ready to be paid over. Our court has just adjourned.

Yours truly
 L. P. Reynolds
 for Reynolds, Boone & Reynolds

Names:

Boone,

Cabiniss, S. D.

Reynolds, L. P.

Places:

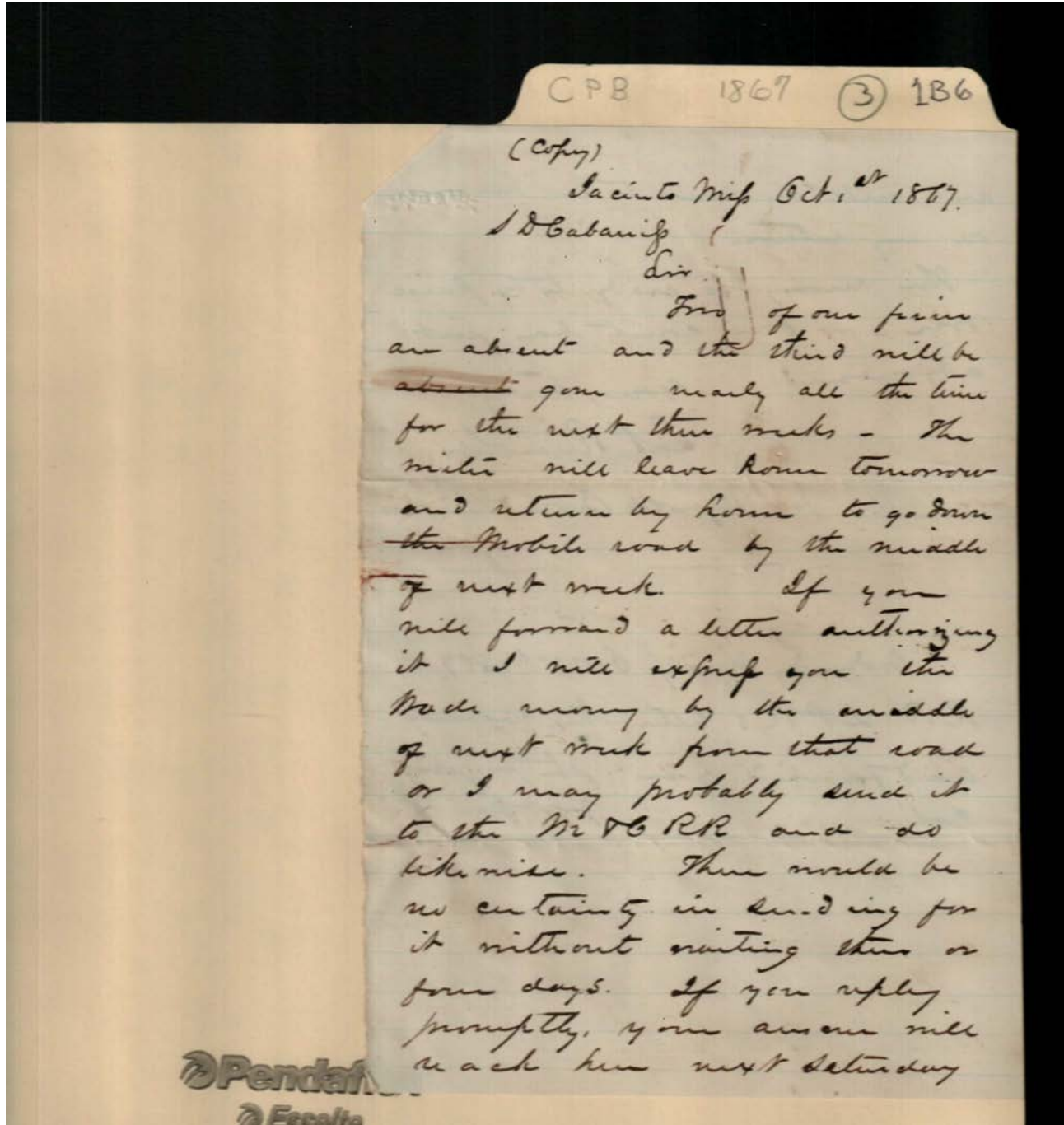
Jacinto, MS

Types:

correspondence

Dates:

1867



Names:

Boone,

Cabiniss, S. D.

Reynolds,

Places:

Jacinto, MS

Types:

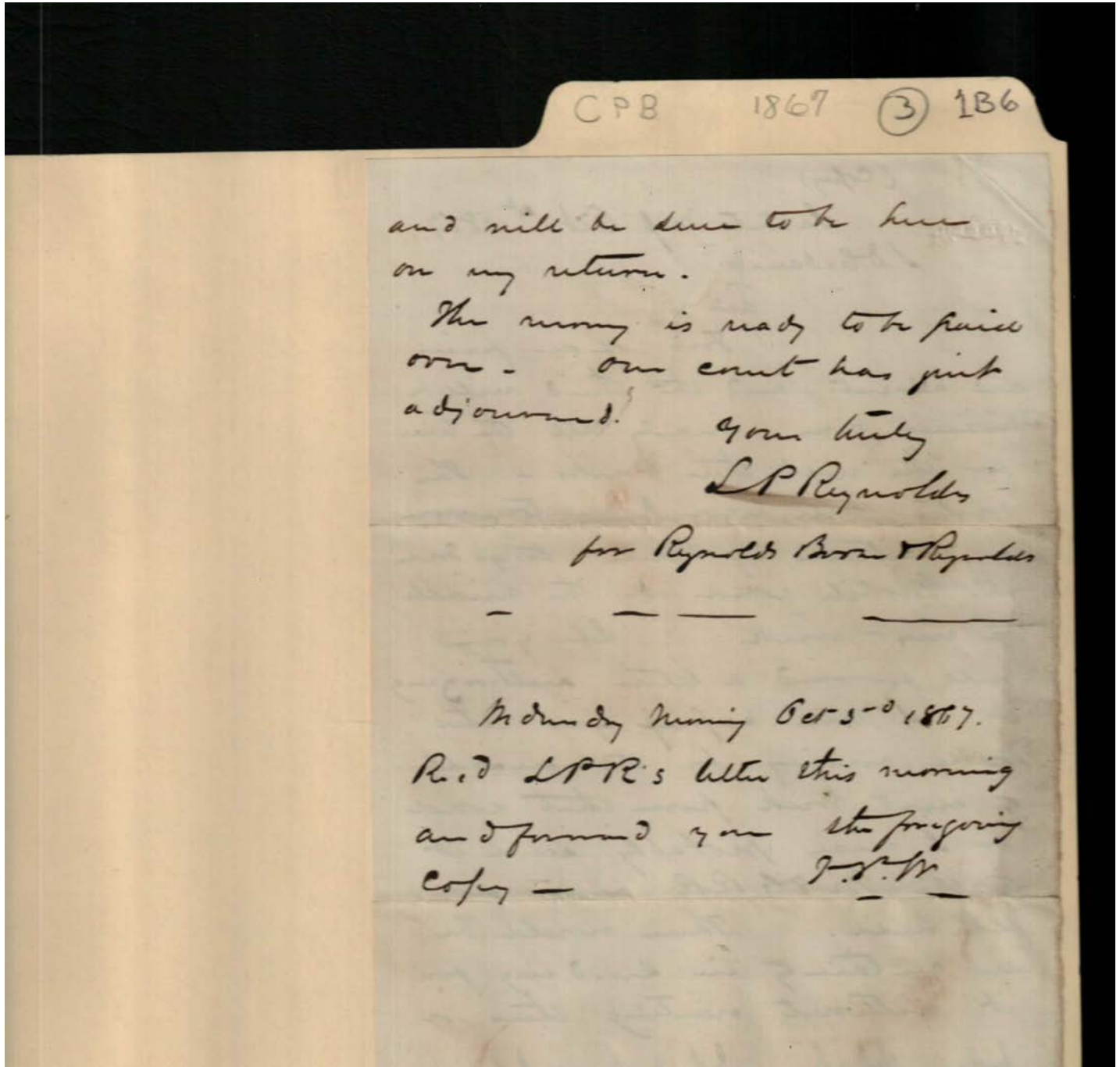
correspondence

envelope

Dates:

Mar 18, 1867

Oct 05, 1867



Names:

Boone,

Reynolds,

Reynolds, L. P.

Places:

Jacinto, MS

Types:

correspondence

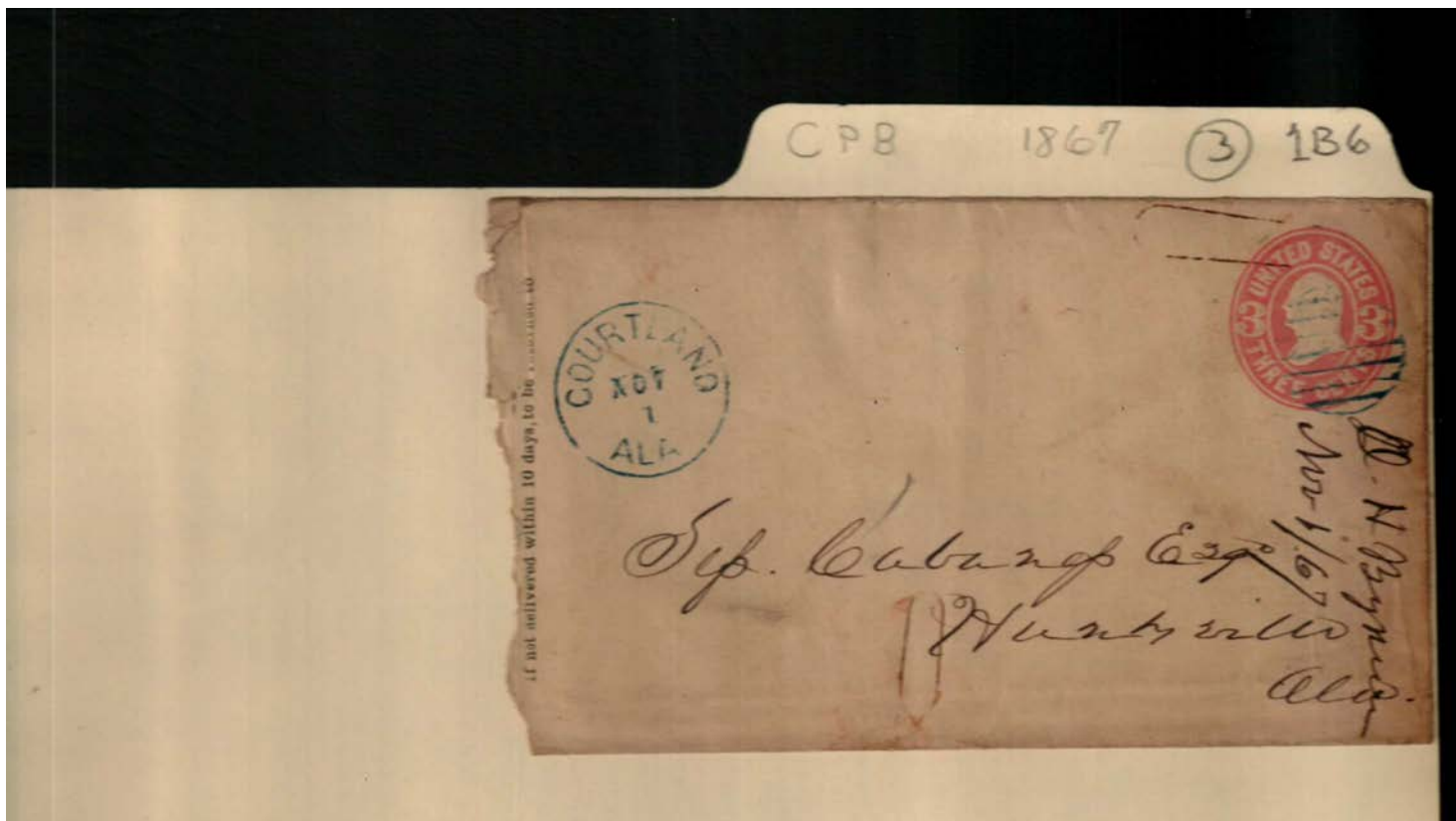
Dates:

Oct 05, 1867

Frances Cabaniss Roberts Collection: Series 1, Subseries B, Box 6, Folder 3

Legal and court documents, 1867

Image 27 r01b06-03-000-0027 [Contents](#) [Index](#) [About](#)



Names:

Cabaniss, Septimus

Places:

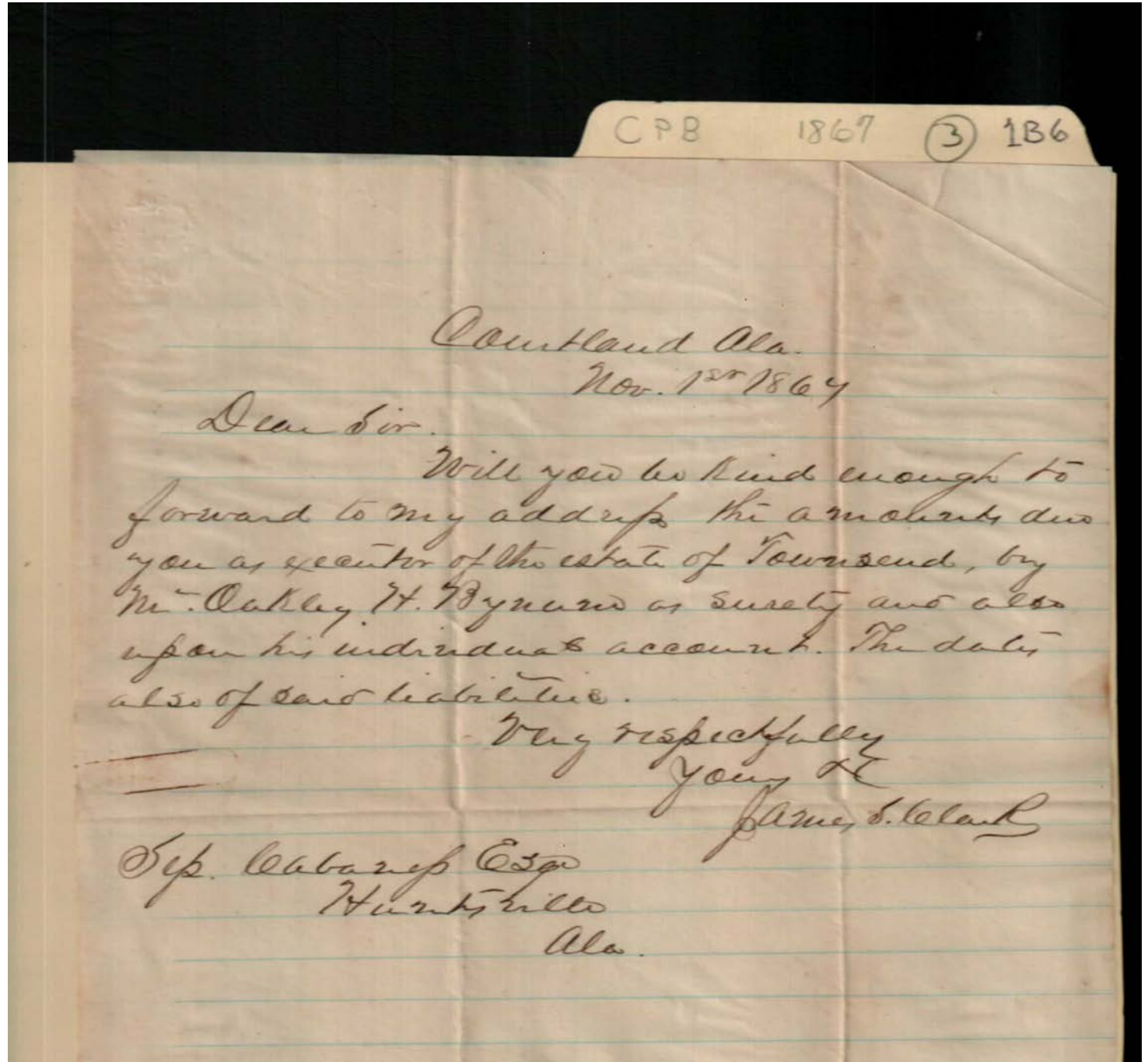
Courtland, AL

Types:

envelope

Dates:

Nov 01, 1867



Names:

Bynum, H.

Cabaniss, Septimus

Clark, James S.

Oakley, Mr.

Places:

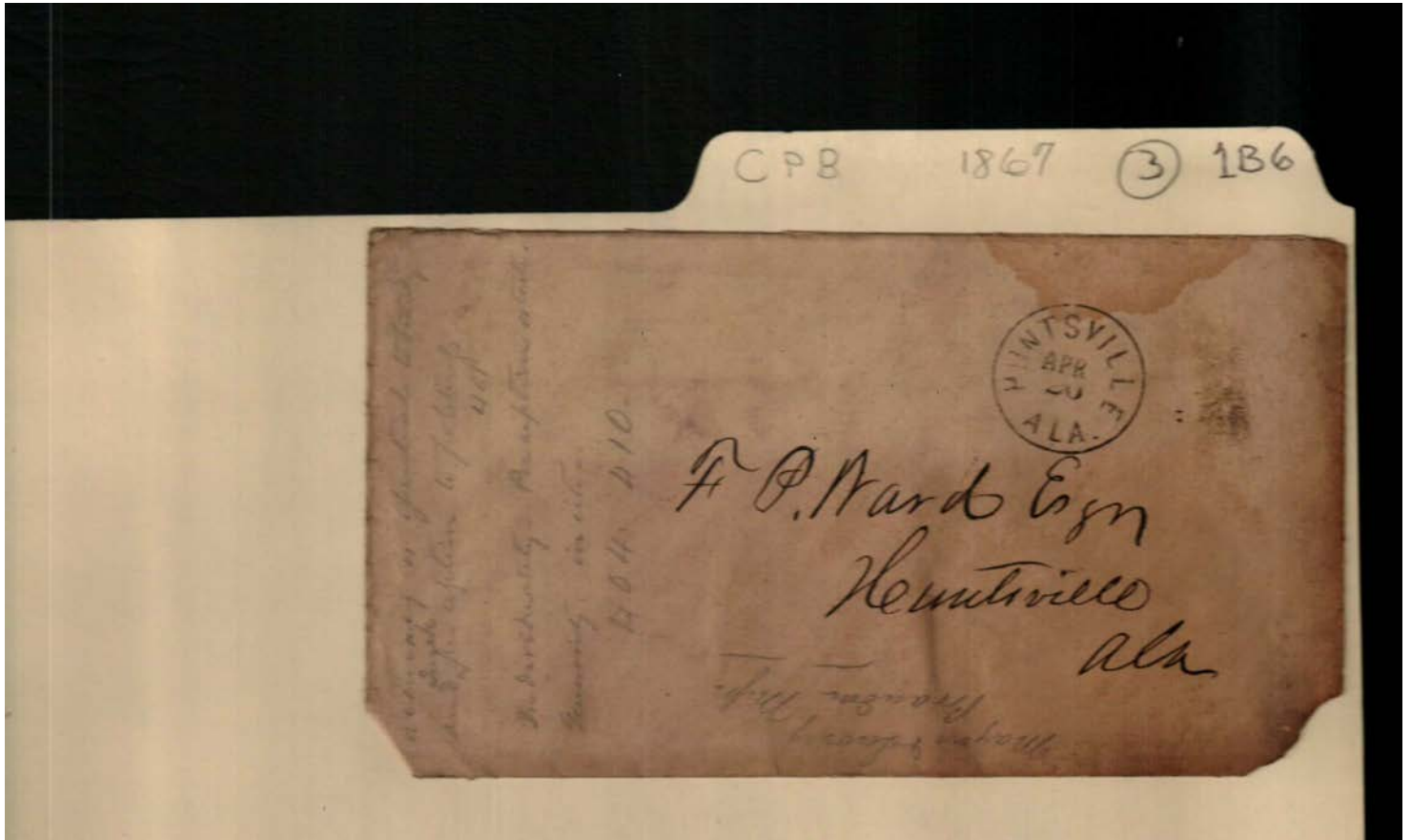
Courtland, AL

Types:

correspondence

Dates:

Nov 01, 1867



Names:

Ward, F. P.

Places:

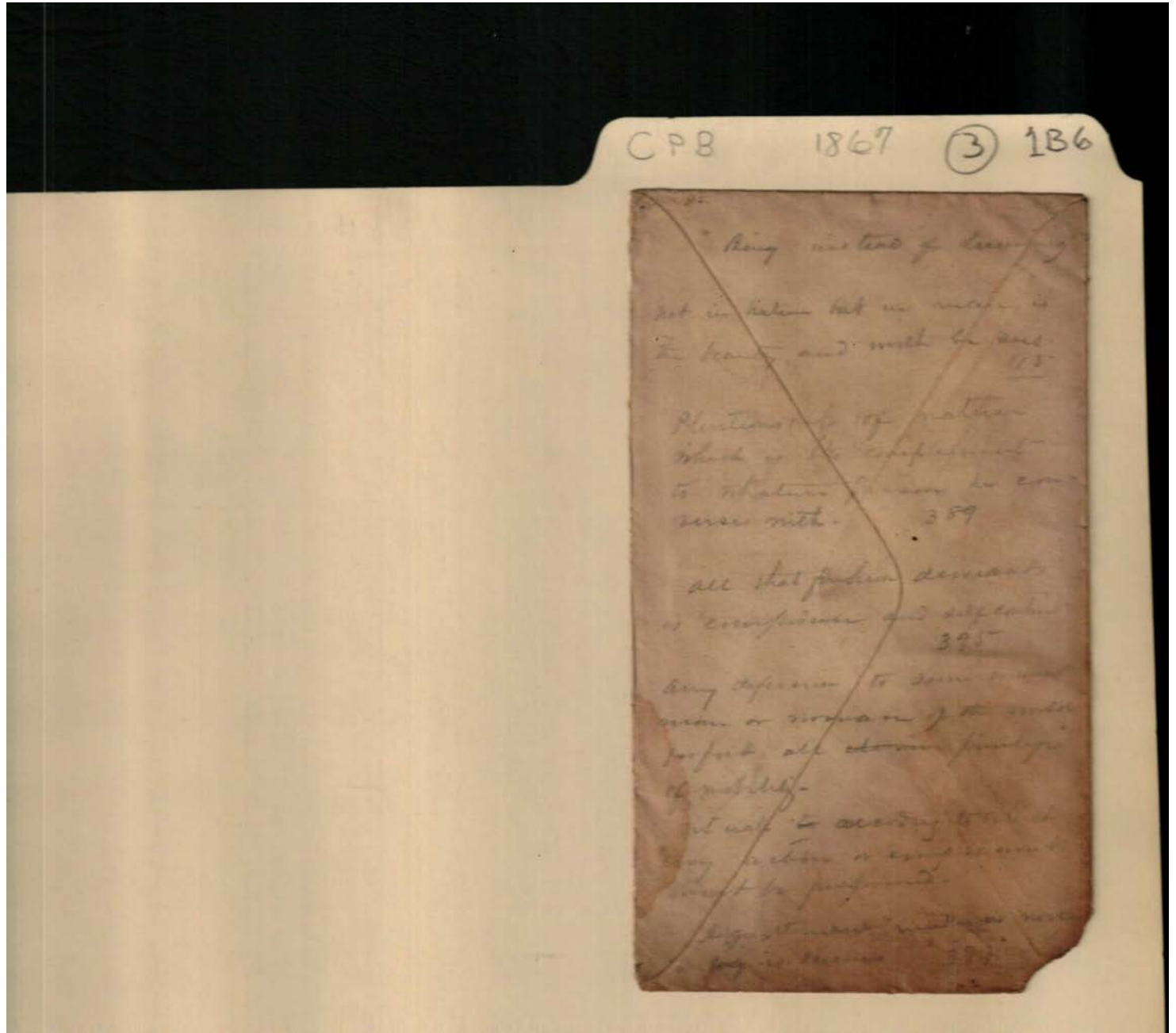
Huntsville, AL

Types:

envelope

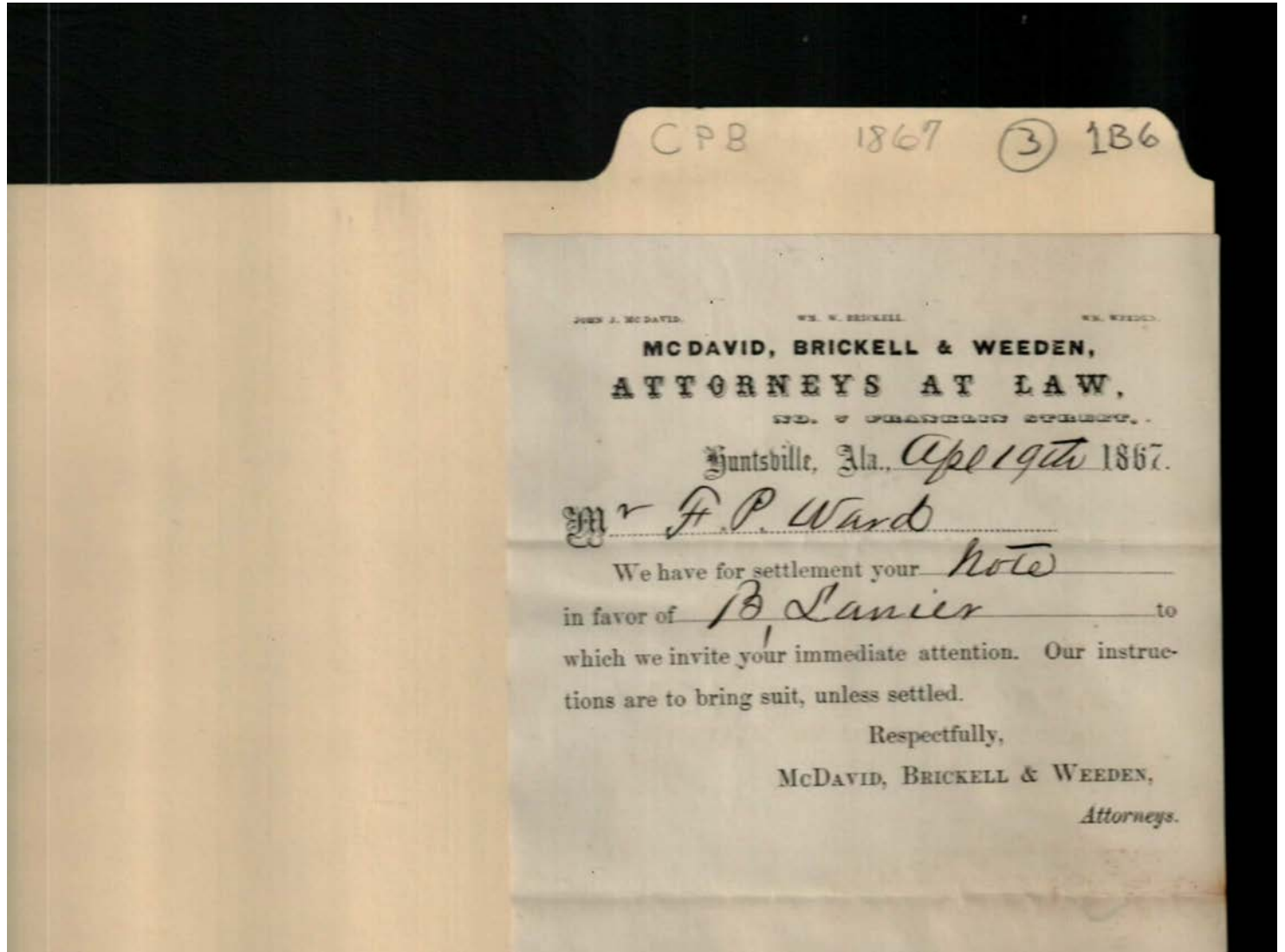
Dates:

1867



Types:

memo



Attorney

Names:

Brickell, William W.

McDavid, John J.

Ward, F. P.

Weeden, W. W.

Places:

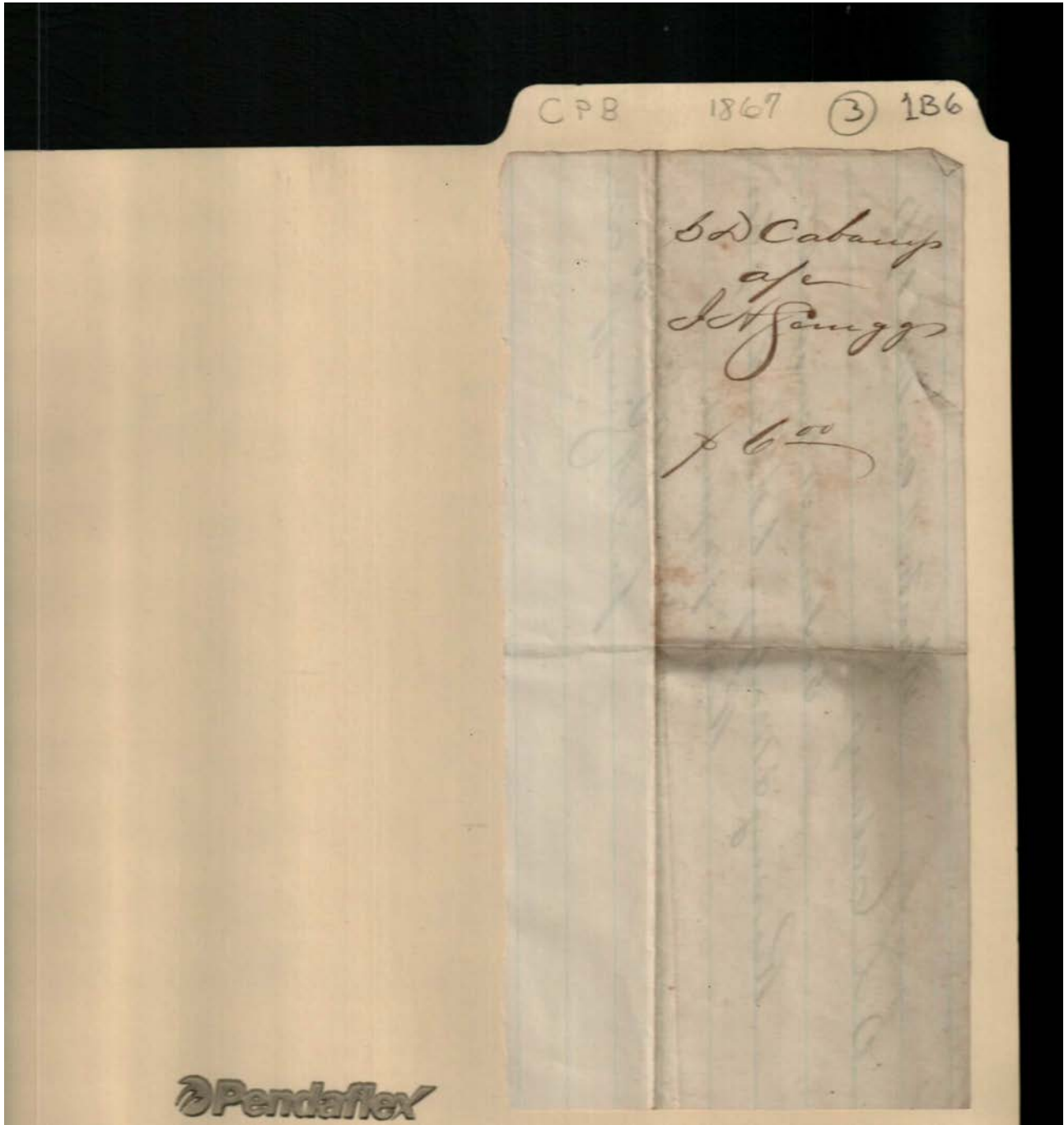
Huntsville, AL

Types:

bill

Dates:

Apr 19. 1867



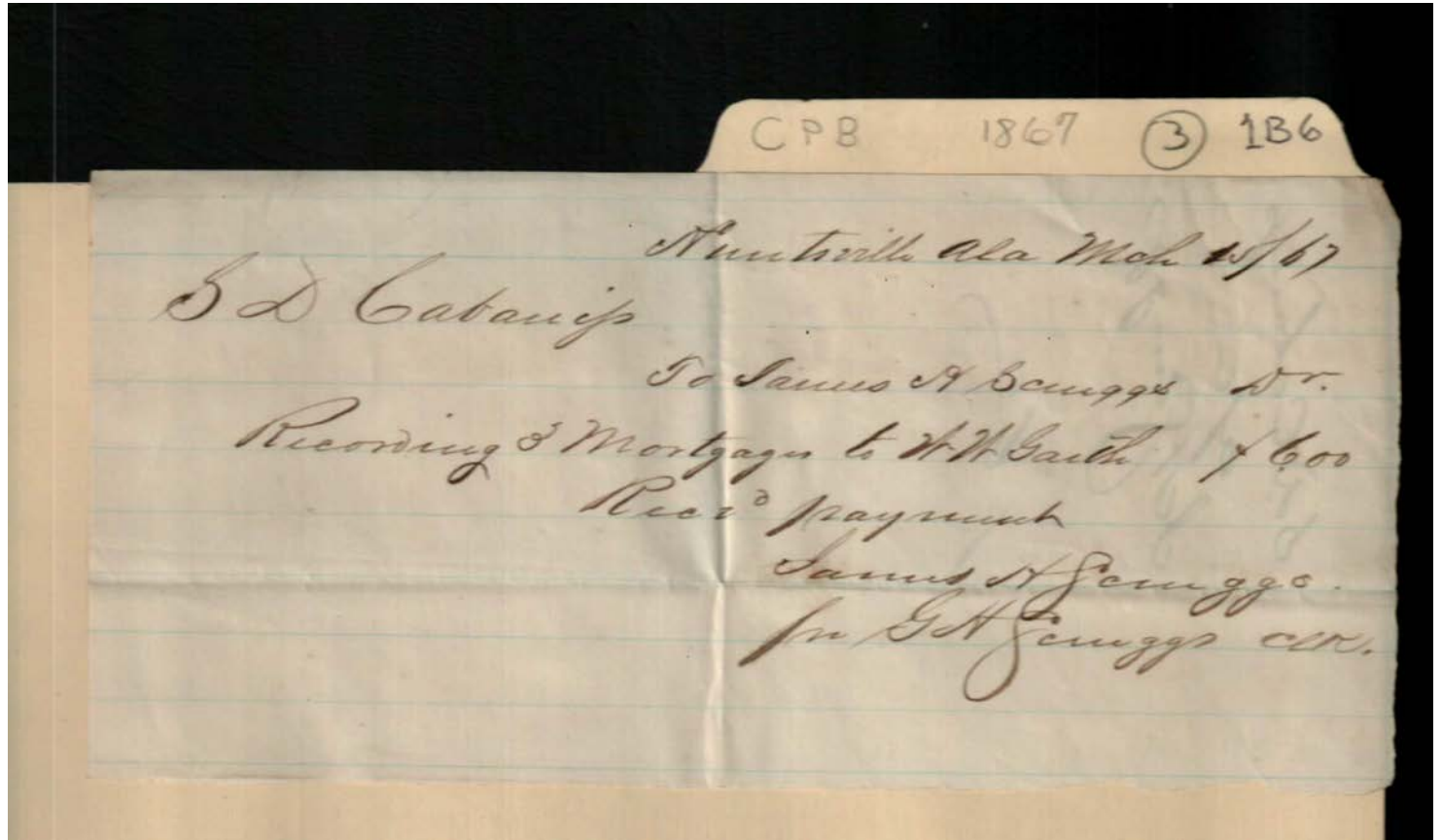
Names:

Cabaniss, S. D.

Scruggs, J. H.

Types:

memo



Names:

Cabiness, S. D.

Garth, W. W.

Scruggs, James H.

Places:

Huntsville, AL

Types:

bill

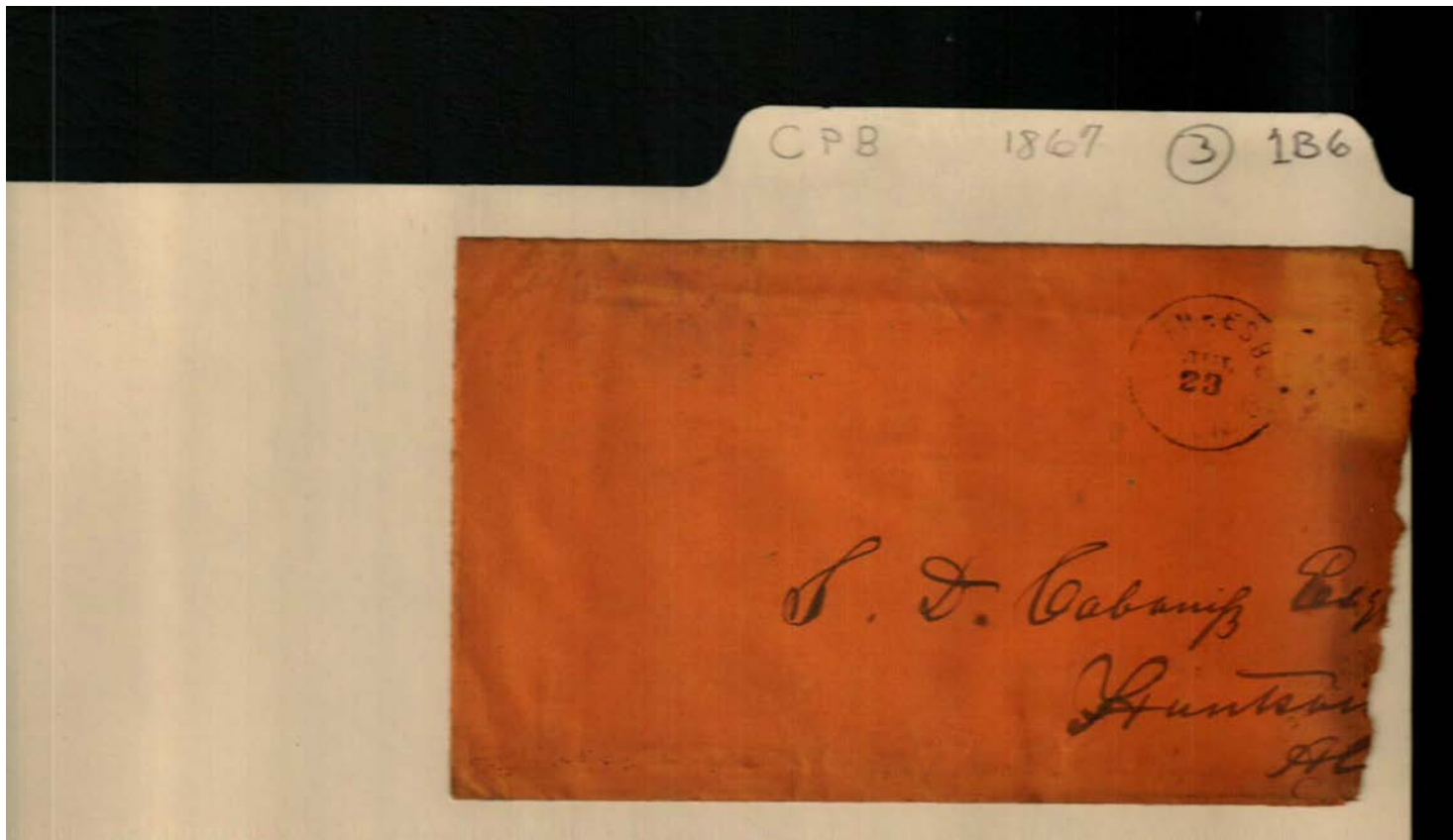
Dates:

Mar 15, 1867

Frances Cabaniss Roberts Collection: Series 1, Subseries B, Box 6, Folder 3

Legal and court documents, 1867

Image 34 r01b06-03-000-0034 [Contents](#) [Index](#) [About](#)



Names:

Cabiness, S. D.

Types:

envelope

CPB 1867 (3) 186

Murfreesboro July 22nd 1867

S. D. Cabaniss Esqr.

I have just learned through the assistance of Mr. Avant, that John Gordon, the man whose whereabouts you desired to learn, is dead. The information was obtained from Mr. Witherspoon, who knew Gordon intimately and used to sell him goods at Readville. He has been dead about five years. Mr. Avant knew him well some years since, having defended him in a prosecution instituted against him in connection with the Tate and Bingham affair. You will, no doubt, recollect Mr. A., as he says Col. Kibble and himself corresponded with you in regard to Gordon's case. Mr. A. says if there is any one else ~~in~~ in the country about Readville or Bradyville (the places are close together) about whom ^{you} desire information he will render any assistance ~~needed~~, as he

Names:

Avant, Mr.
Bingham,

Cabaniss, S. D.
Gordon, John

Kibble, Col
Tate,

Witherspoon,

Places:

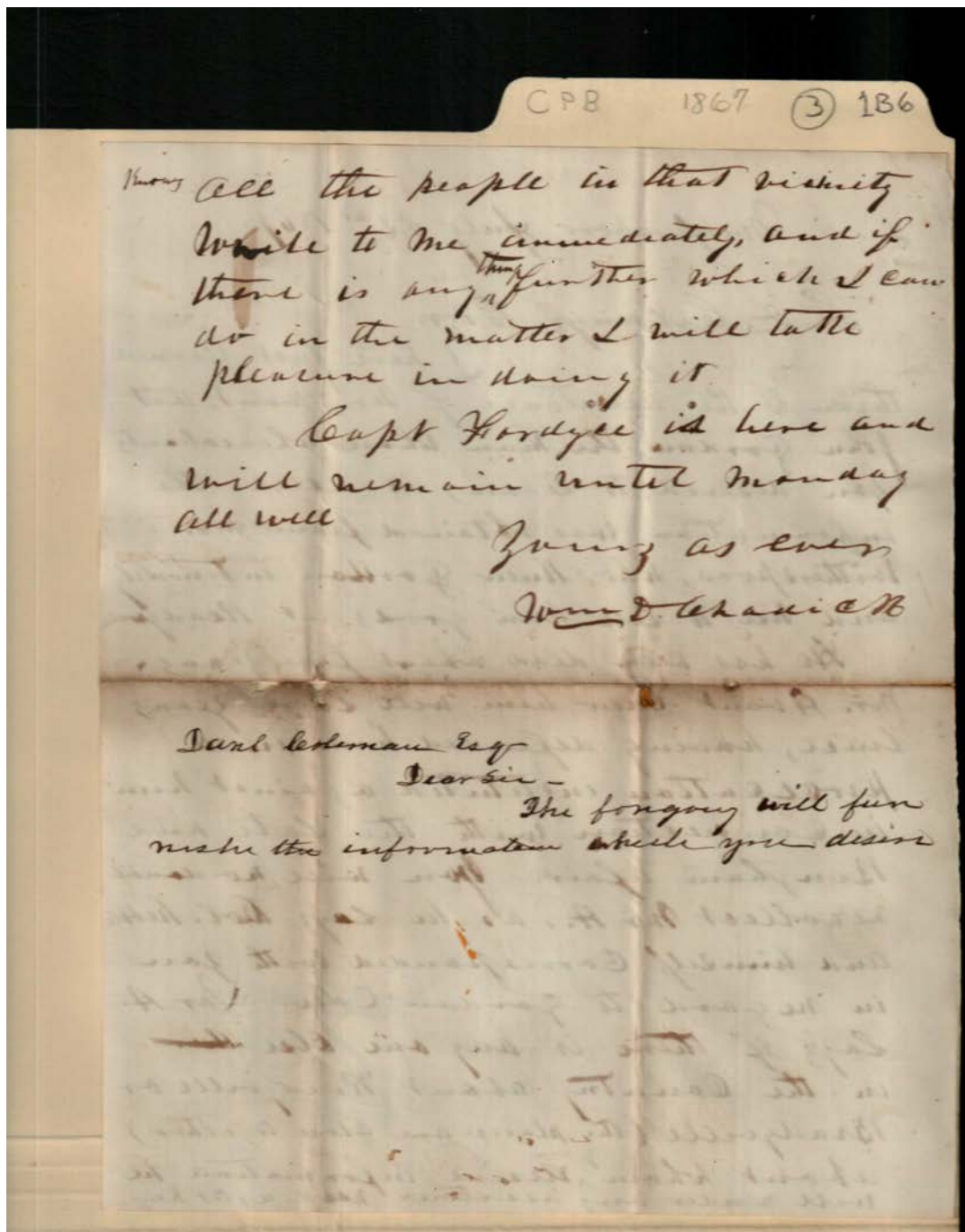
Murfreesboro, TN

Types:

correspondence

Dates:

Jul 22, 1867



Names:

Chadick, William D.

Coleman, Daniel

Fordyce, Captain

Places:

Murfreesboro, TN

Types:

correspondence

Dates:

Jul 22, 1867

CPB 1867 (3) 186

Madison County Ala. Sept. 15th 67

Messrs. Cabaniss & ~~off~~ ~~Min~~ Ward

I by the
 advice of Dr. Slaughter, I wish to present
 to You the case of Mrs. Margaret A.
 Crutcher the widow of James A. Crutcher,
 and also a sister of mine.

Parson Crutcher, of New Market, gave to
 his Son, her husband, a portion of
 Land, but he did not make a deed to it
 until after the death of the husband;
 Parson Crutcher intended for this to have
 a Deed, but in writing the Deed there
 was an error committed which, it is said,
 will cut her out of Deed.

Mrs. M. A. Crutcher is in a deplorable
 condition in consequence of the War she
 is reduced to poverty, and is by that I will
 throw out of house and home, and
 has no friends to take of her.

I am a widow myself and have no
 Property I hold, and have to use my own
 exertions to gain a living, and it is
 impossible for me to make a support
 for both. She has been insane eleven
 years, but is in a degree rational now.

Names:

Cabaniss,
 Crutcher, James T.

Crutcher, Margaret A.
 Crutcher, Parson

Slaughter, Dr.

Places:

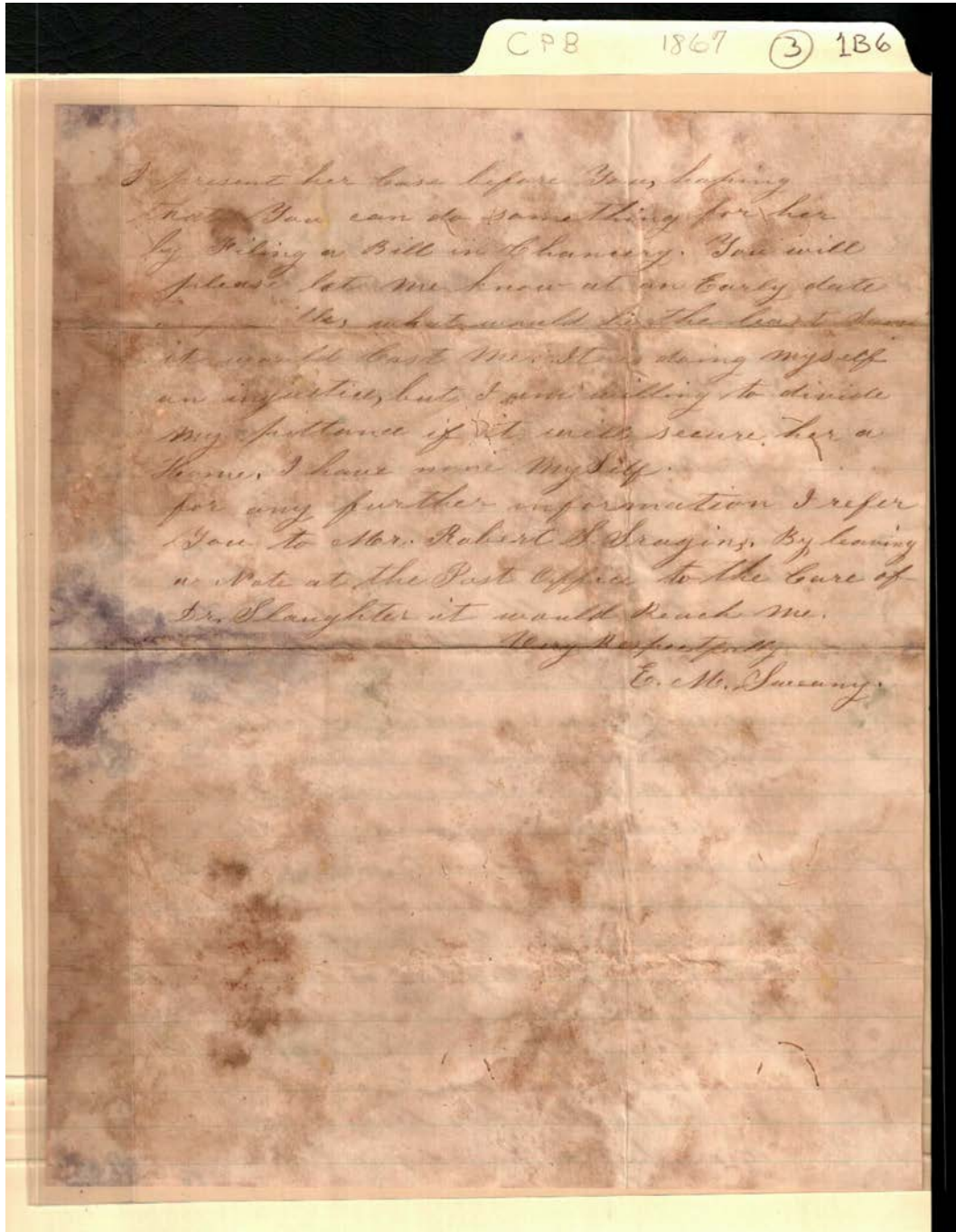
Madison Co., AL

Types:

correspondence

Dates:

Sep 16, 1867



Names:

Spragins, Robert S.,
Mr.

Sweany, E. M.

Places:

Madison Co., AL

Types:

correspondence

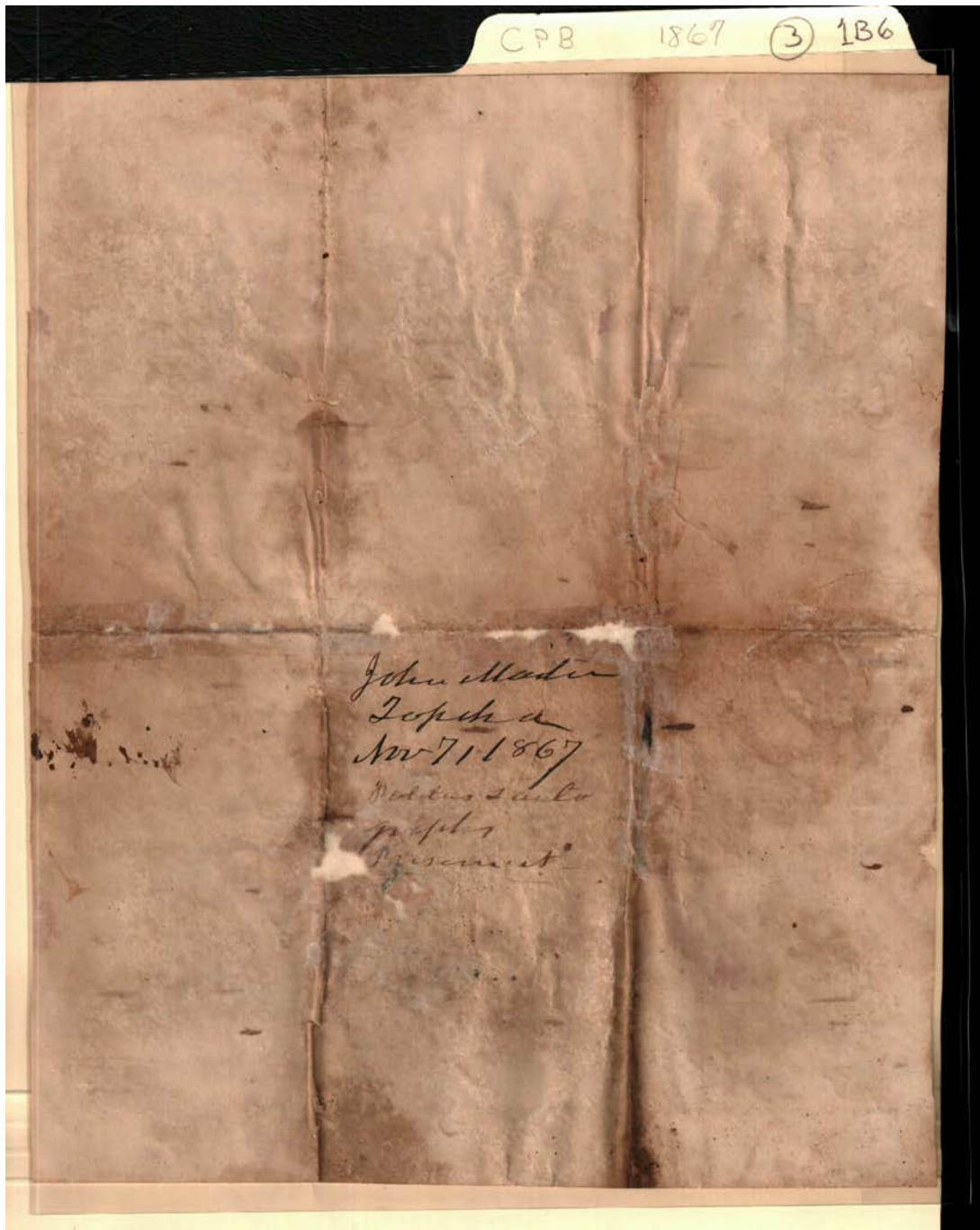
Dates:

Sep 16, 1867

Frances Cabaniss Roberts Collection: Series 1, Subseries B, Box 6, Folder 3

Legal and court documents, 1867

Image 39 r01b06-03-000-0039 [Contents](#) [Index](#) [About](#)



Names:

Madin, John

Types:

correspondence

Dates:

Nov 7, 1867

CPB 1867 (3) 1B6

and as brave and gallant a soldier
 as ever drew a sword, so say you
 Forrest, under whose banner he served - so
 the letter is particularly interesting
 to me and I am obliged to you
 for it.

I have your favor to Anderson &
 look after the interest of the Anderson
 Lopez & Santa Fe Railroad. I
 understand that the contract for build-
 ing the Road from Santa Fe to
 Albuquerque is now
 in the way.

How glad you would be to see
 me to come and live with us
 yet - I am sure we will try to do
 the best for you.

My son is to leave for
 & his very interesting to you.

Yours truly
 J. Martin

Col S. D. Cabaniss
 Santa Fe
 New Mexico

Names:

Cabaniss, S. D., Col.

Forrest, Gen.

Larkin,

Martin, John

Types:

correspondence

CPB 1867 ③ 136

Topeka Kansas
Nov: 7th 1867

My Dear Sir

I have of no better means
of coming in your letter than to
offer you a "Supplementary Issue,
The Secular Index" as a proof of the truth of
this political revision - I refer you to the
election returns of last year. The
Whites: In our election in the 5th
district Mr & Miss & Dr
were beaten by from 500 to 1000. Man-
plicity perhaps fully 10000. Majority
against T & Pro. and state
before the T & Pro were carried
fully 1/3 of the counties in the state
of not more electing members
of the Legislature & County Officers -
so the world does move, and
reason is becoming less every
and American natural right to

Names:

Bate, Gen.

Places:

Topeka, KS

Types:

correspondence

Dates:

Nov 07, 1867

CPB 1867 (3) 1B6

Control the victims of men unmindful
 by passion or prejudice. So my dear
 Sir still hope the storm is brewing, the
 flash of lightning and the master-
 sing of distant thunder is heard.
 And God Almighty will be
 and witness I feel as much
 for Suckley's sake.

I must not pretend have been
 a long winter business trip
 just finishing tracing our path
 and business in such late
 weeks.

I think the letter from Gen. Peter
 sent me of you, introducing Col
 Mc-Lemore I know both of them
 and what makes the letter still more
 interesting is from the fact, that
 Mr. Lemore was Col. of the Regi-
 ment in which I had a brother
 who commanded Co. "G." of W.D.
 Lemore Regt & was killed in
 Battle at New River Mountain.

Names:

Clotte, Jack

Lemore, Col.

Types:

correspondence

CPB 1867 (3) 1B6

and as before and follow a soldier
 as you know a sword, to say that
 DORSET, under whose command - so
 the letter is particularly interesting
 & you and I am obliged to you
 for it -

Letting your parents understand
 look after the interest of the Abbees
 Sophia & Maria the same. I
 understand that the contract for build-
 ing the Road from here to Abbees
 is under way now.

Have you made up your
 mind to come and live with us
 yet? Come - we will try & do
 the best for you.

My regards to the poor like - person.
 & his very interesting daughter.

Yours truly
 Mrs. M. M. M.

Col S. R. Cabaniss
 Hermitage
 Alabama

Types:
correspondence

Frances Cabaniss Roberts Collection: Series 1, Subseries B, Box 6, Folder 3

Legal and court documents, 1867

Image 44 r01b06-03-000-0044 [Contents](#) [Index](#) [About](#)



Names:

Cabiniss, S. D.

Places:

Centre, AL

Types:

envelope

Dates:

May 19,

CPB 1867 (3) 1B6

Huntsville Oct 19/67

Mrs M McClung
Madam

Mr beg leave to
call your attention to your account, it
is of long standing. We are very desirous of
of closing up our old business & hope
you will find it convenient to make
some arrangement for the settlement
of the account

Respectfully
John Patton & Co

Names:

McClung, M. M.,
Mrs.

Patton, John

Places:

Huntsville, AL

Types:

correspondence

Dates:

Oct 19, 1867

CPB 1867 (3) 186

Thursday - 1867

Mr Cabaniss

I send you a note of Mr Patton's to me I did not know I was still indebted to him I am ignorant of the amt also.

I did not understand Mr Ward to me that I must pay him interest unless the amt when due was not promptly paid.

I am sorry for this misunderstanding as from the face in cotton Frank says it will be impossible to do it I would pay the whole amt rather than give you trouble.

Respectfully
The McClung

I have just written to Willie about buying the judgment they will do so.

Names:

, Frank
, Willie

Cabaniss, Mr.
McClung, Mrs.

Patton, Mr.
Ward, Mr.

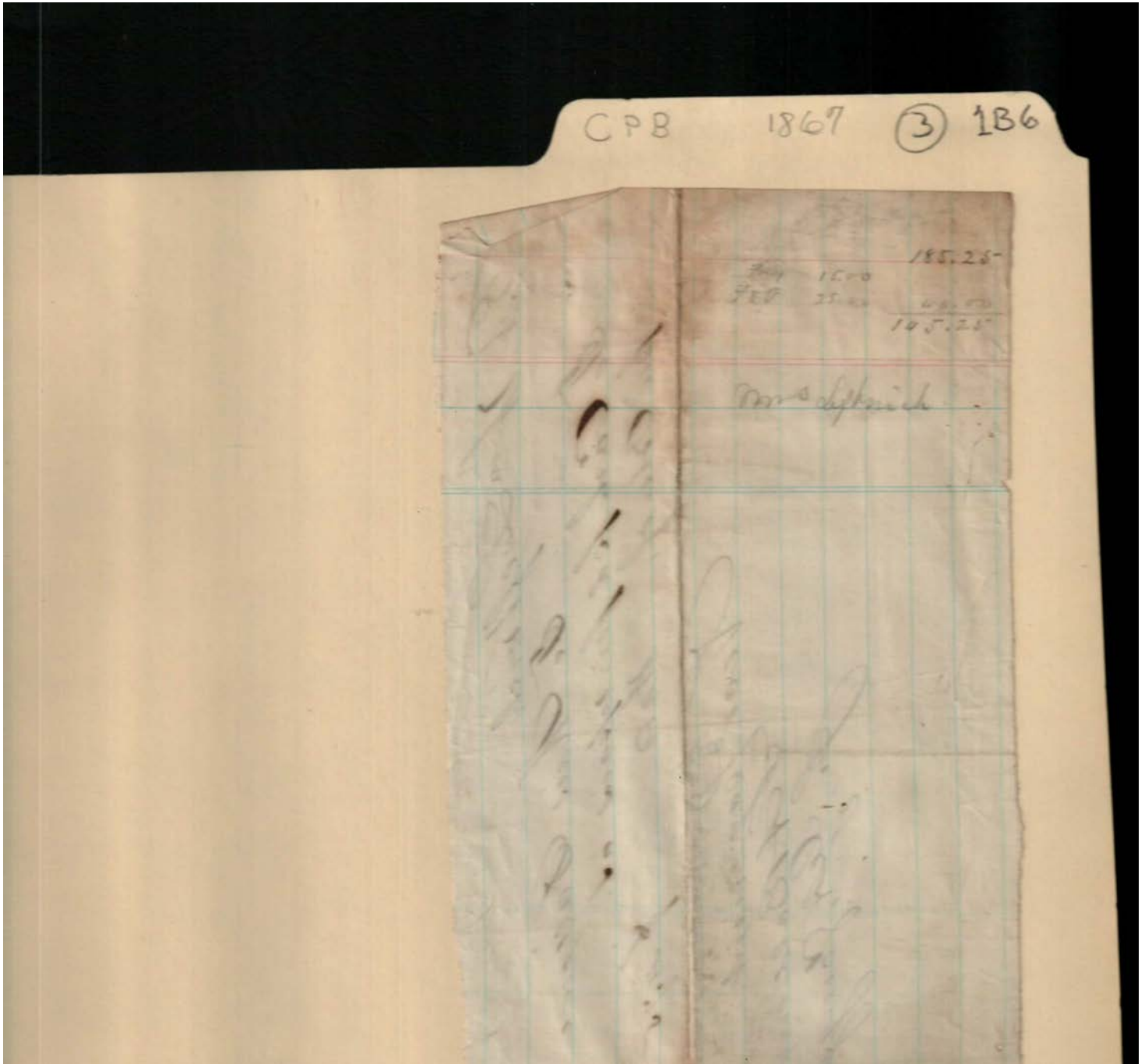
Types:

correspondence

Dates:

1867

Thursday 1867

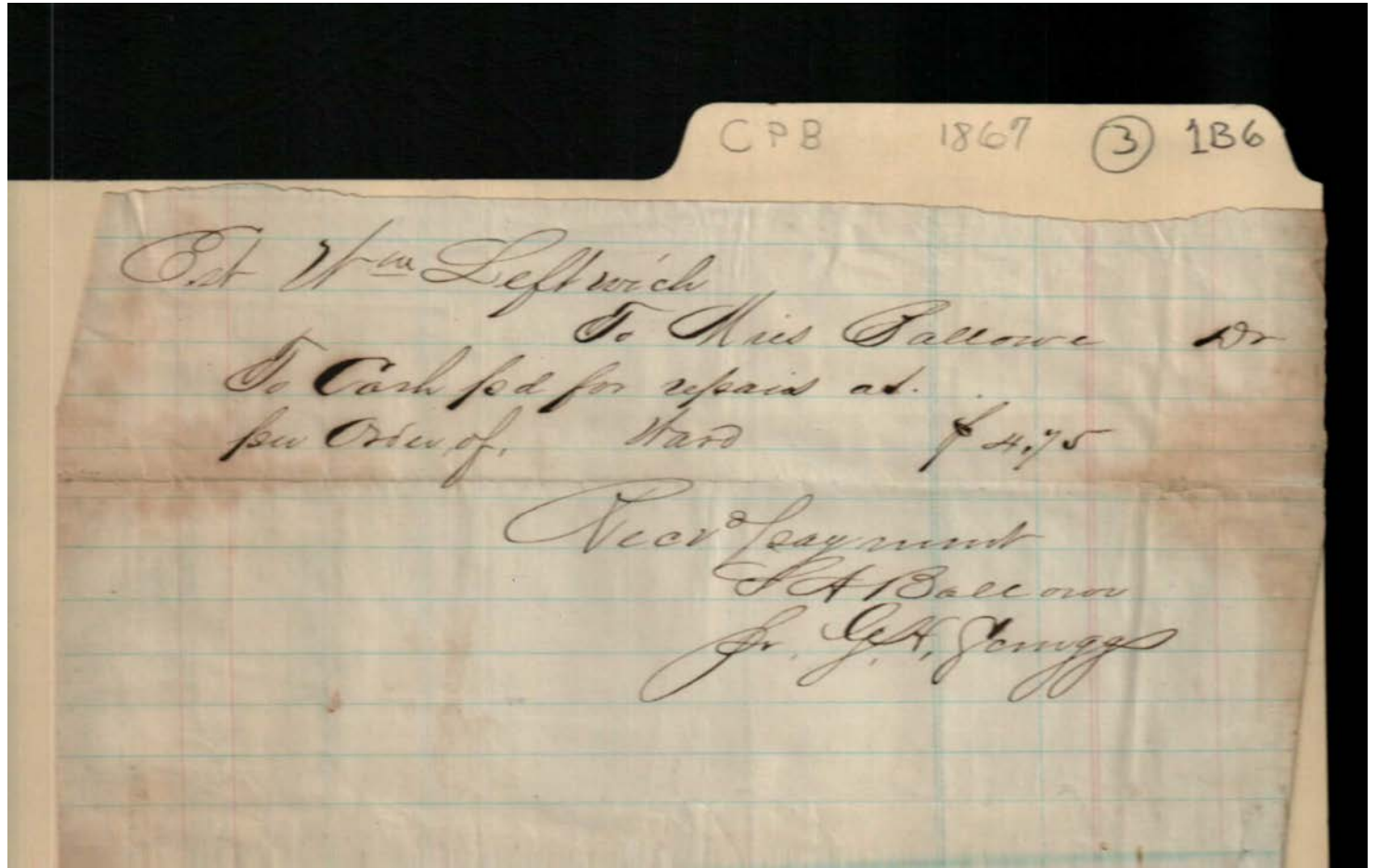


Names:

Leftwich, Mrs.

Types:

memo



Names:

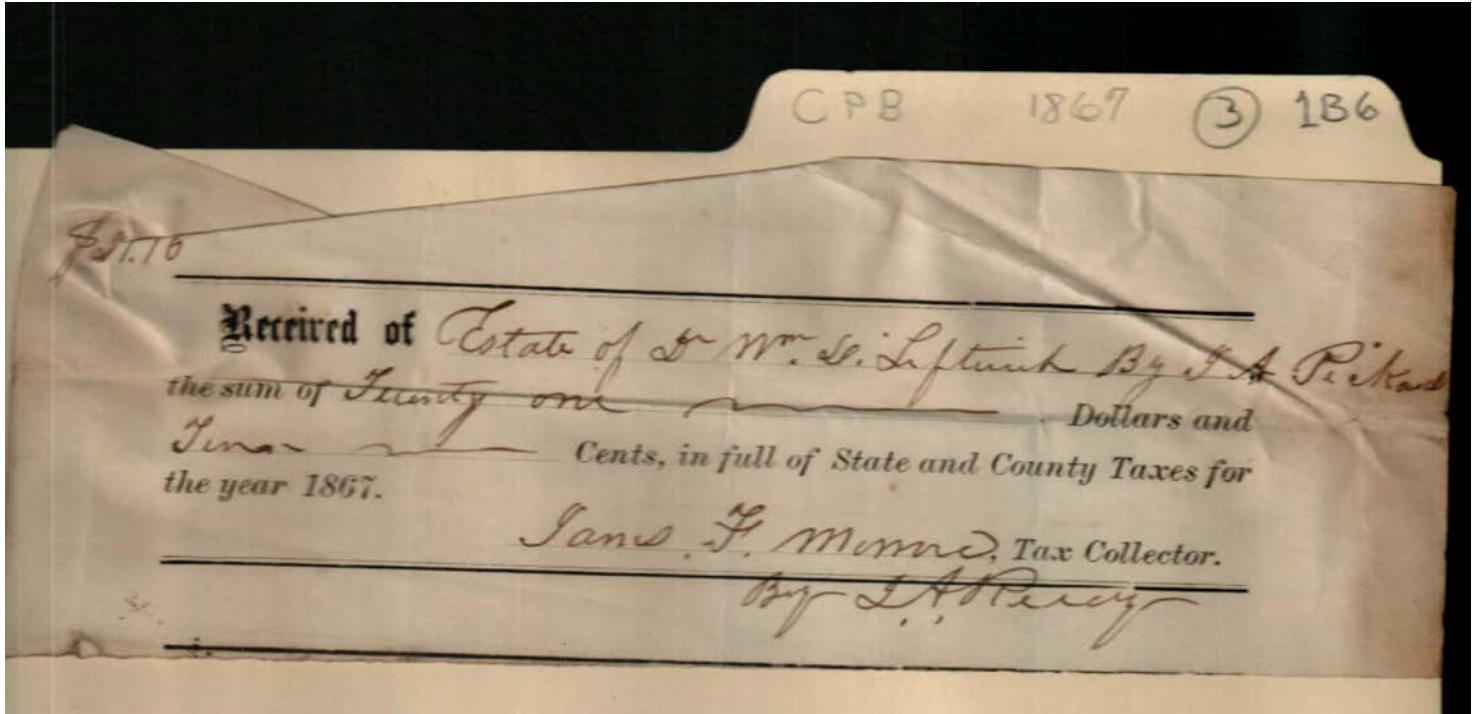
Ballow, Mrs.
Ballow, S. A.

Leftwich, William
Scruggs, J. H.

Ward,

Types:

receipt



Names:

Leftwich, William L.

Morrow, Samuel F.

Pickens, J. A.

Types:

receipt

Dates:

1867



Names:

Cabiness, S. D.

Sykes, W. J.

Places:

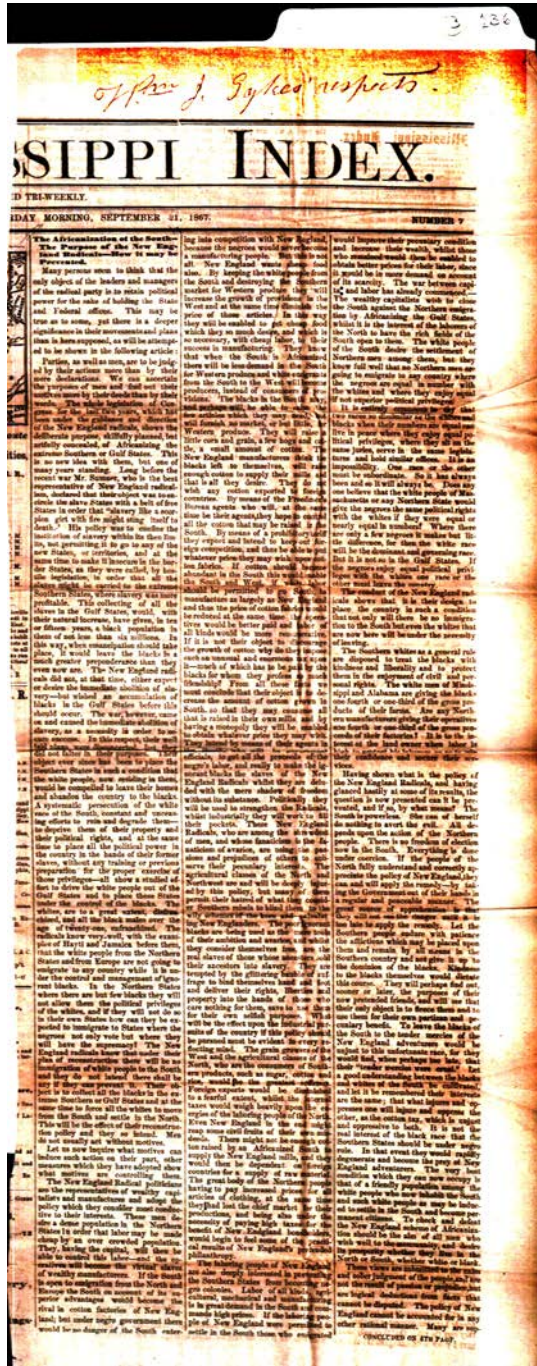
Columbus, MS

Types:

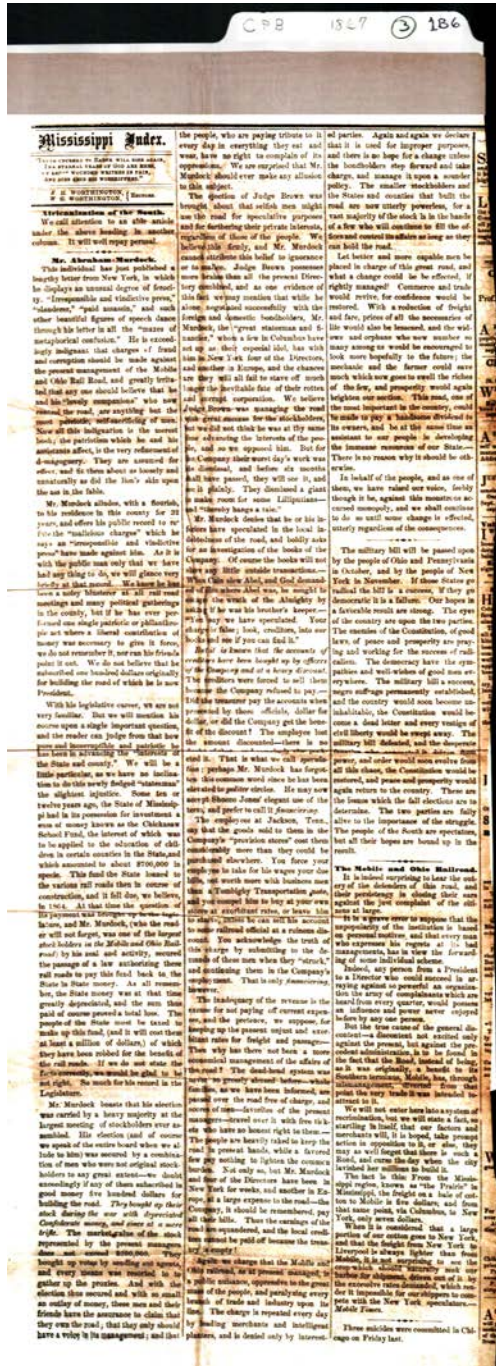
envelope

Dates:

1867



"Mississippi Index"
 Names:
 Mississippi Index
 Types:
 newspaper
 Dates:
 Sep 21, 1867



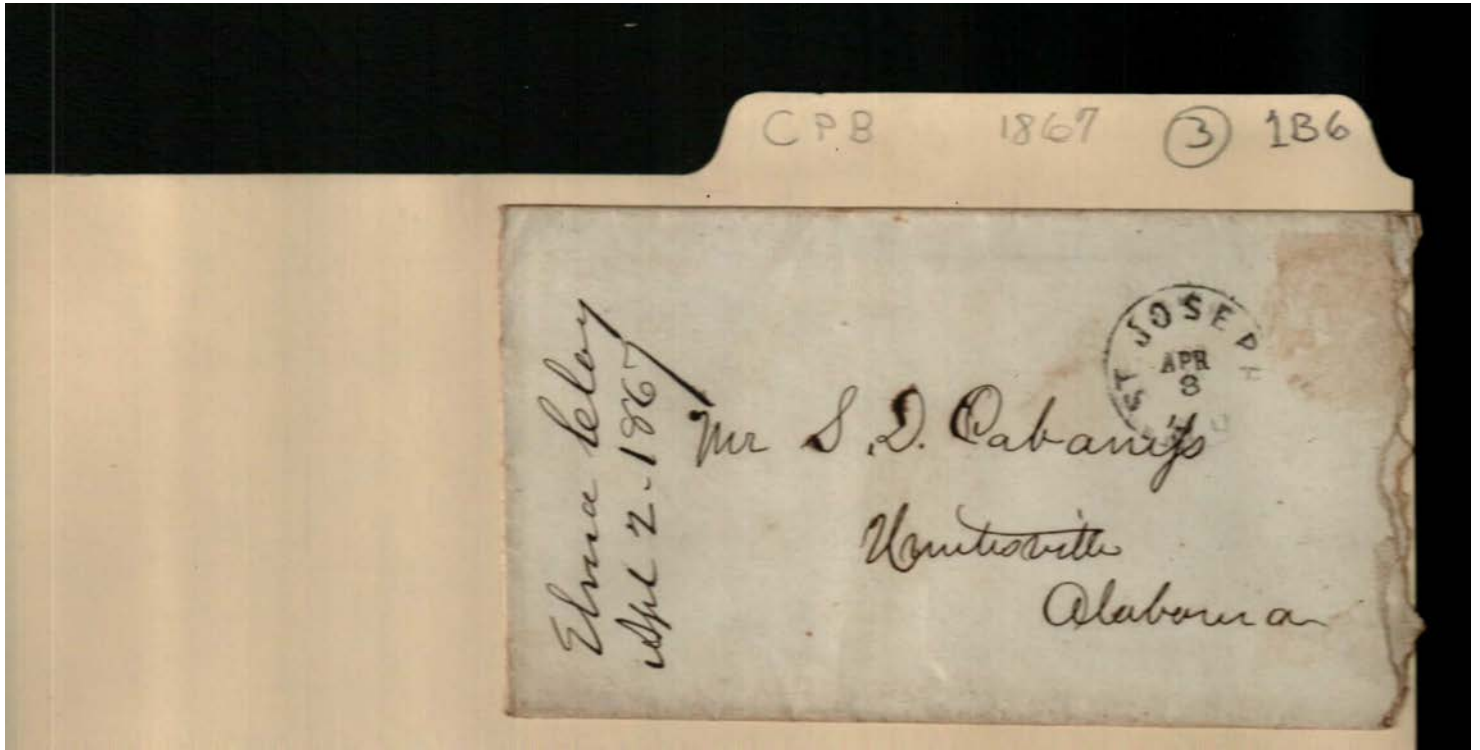
"Mississippi Index" Newspaper

Names:

Mississippi Index
Newspaper

Types:

newspaper



Names:

Cabiness, S. D.

Clay, Edna

Places:

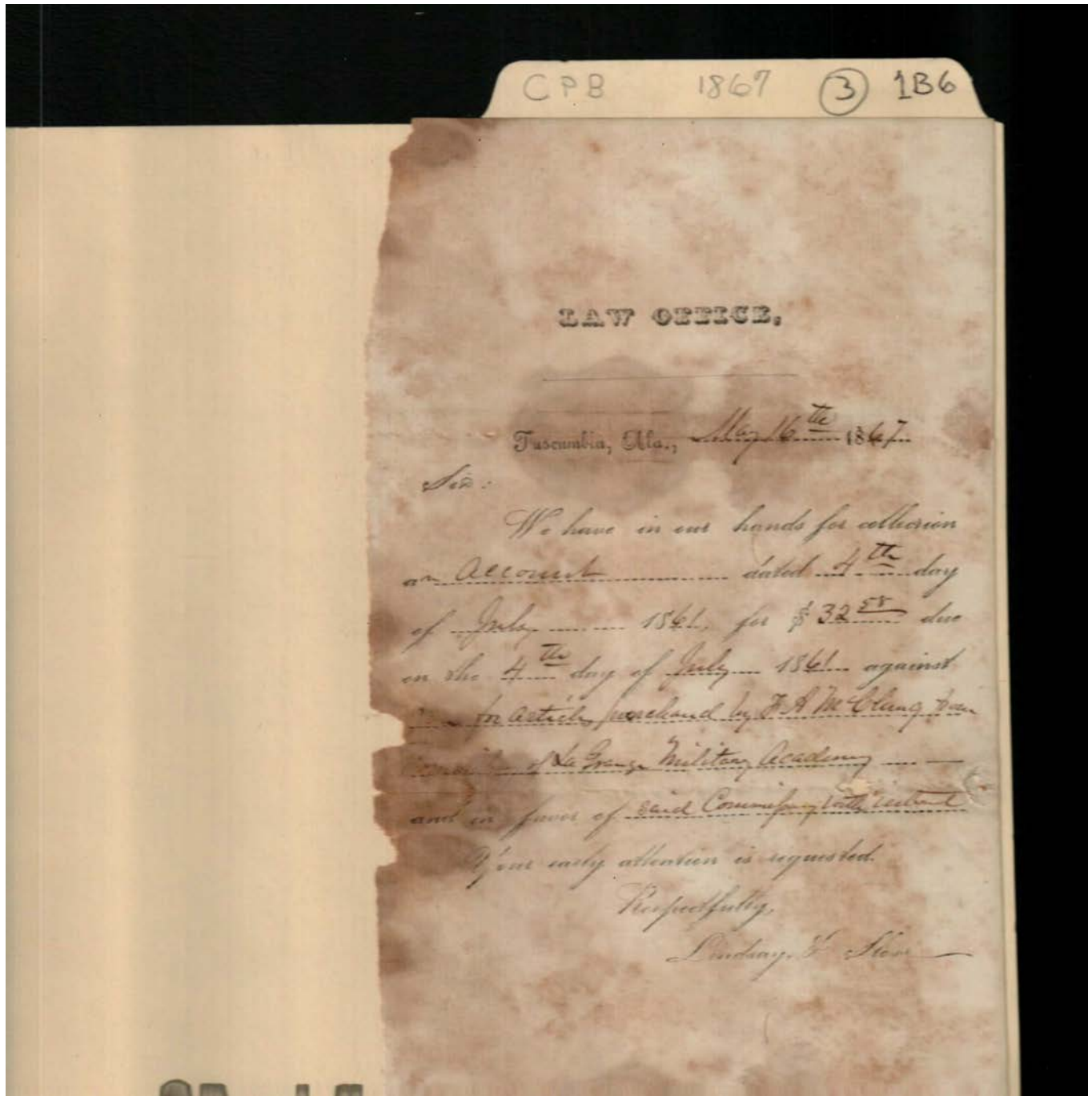
St. Joseph

Types:

envelope

Dates:

Apr 2, 1867



Names:

LaGrange Military
Academy

McClung, F. A.
Stowe, Lindsay L.

Places:

Tuscumbia, AL

Types:

bill

Dates:

May 16, 1867



Names:

Cabiness, S. D.

McClung, F. A.

Places:

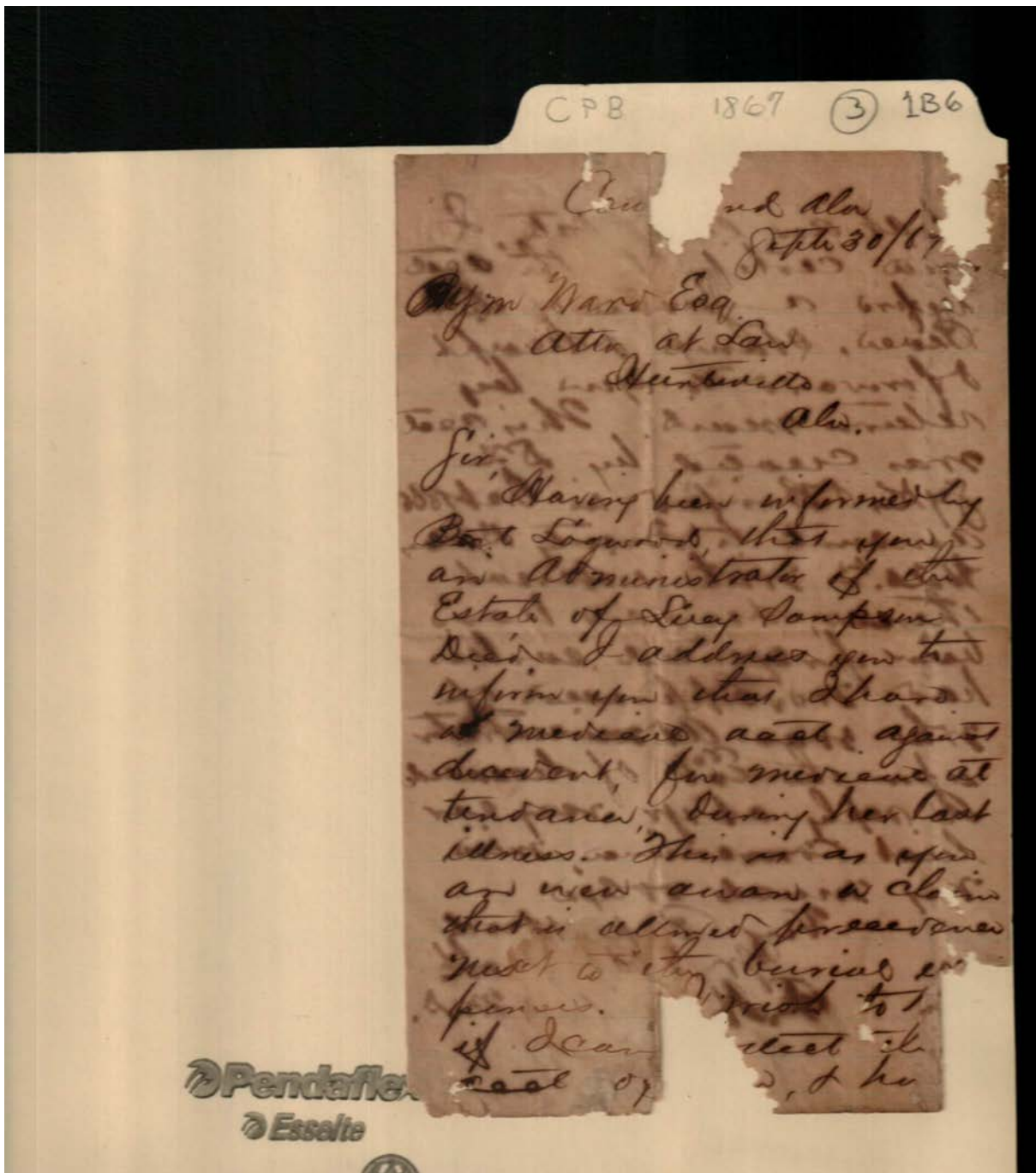
Tuscumbia, AL

Types:

envelope

Dates:

May 16, 1867



Names:

Logwood, Bert

Sampson, Lucy

Ware, Ryan

Places:

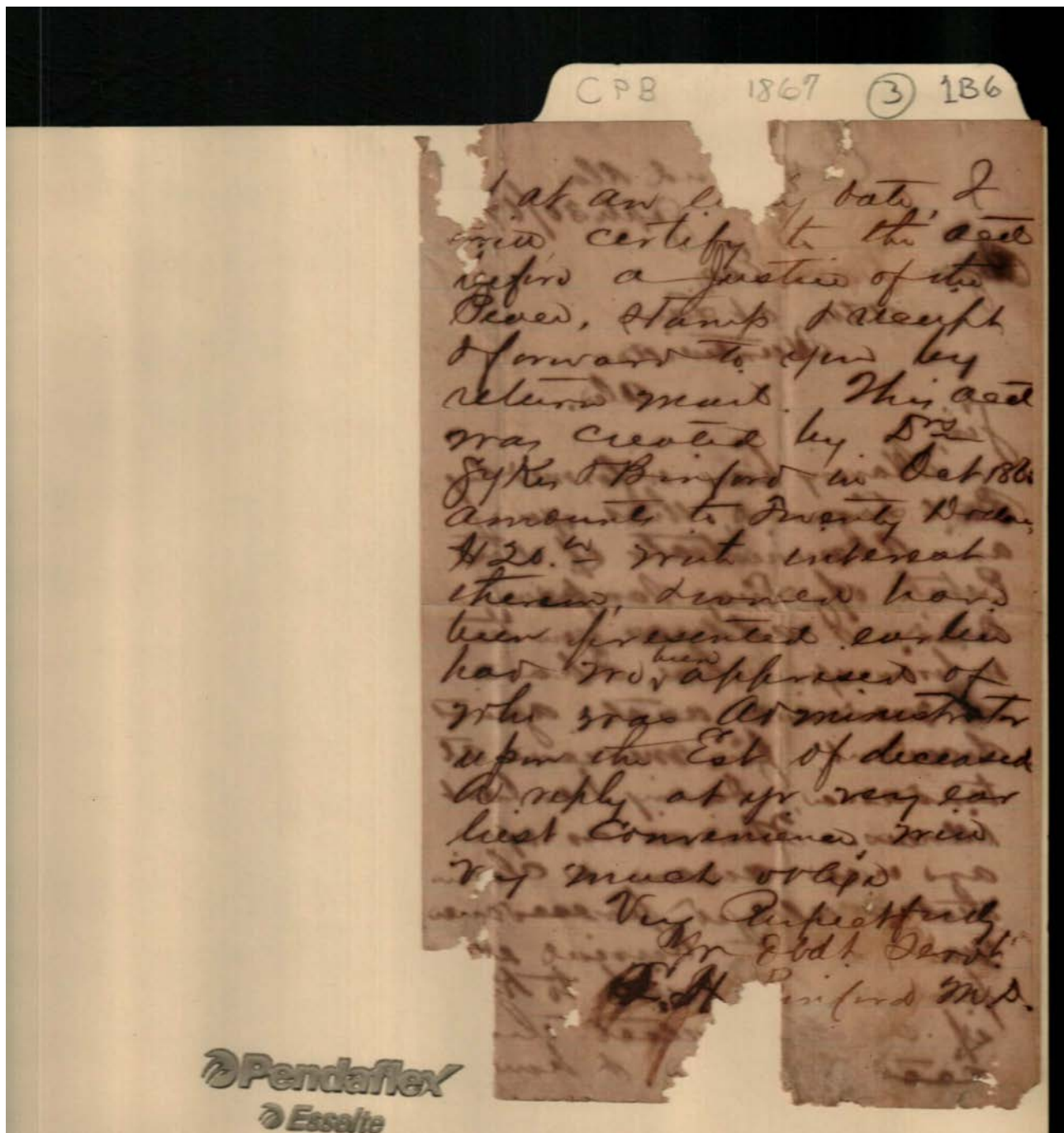
Courtland, AL

Types:

correspondence

Dates:

Sep 30, 1867



Names:

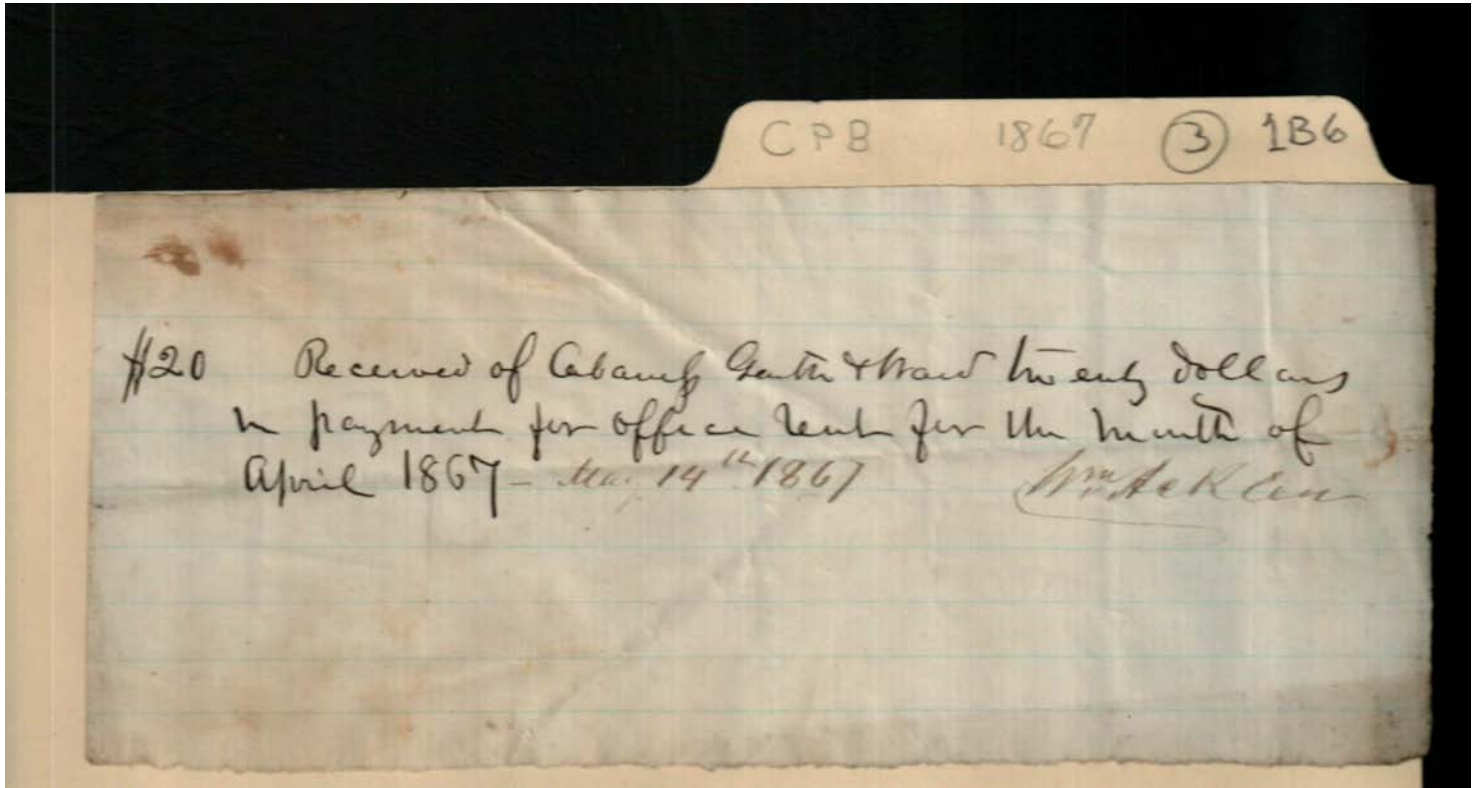
Binford, L. H., Dr.

Sykes, Dr.

Terot, Edward

Types:

correspondence



Cabaniss, Garth, Ward, Attorneys

Names:

Cabaniss,

Garth,

Ward,

Types:

receipt

Dates:

May 14, 1867

Frances Cabaniss Roberts Collection: Series 1, Subseries B, Box 6, Folder 3

Legal and court documents, 1867

Image 59 r01b06-03-000-0059 [Contents](#) [Index](#) [About](#)



Names:

Ward, F. P.

Places:

Courtland, AL

Types:

envelope

Dates:

Feb

CPB 1867 (3) 186

Feb 12th 1867

To P. F. Ward

Dear Sir

Your favor came to hand
 Tonight I'll go to town tomorrow and answer
 all of your interrogatories Satisfactorily If you
 will promise to send the money (all I mean) you
 collect from Coons, I'll agree to take the
 face of the notes and pay you your fee for
 collecting trouble. I'd advise you to make
 him pay largely, but such advice would be
 useless, and considered presumptuous from a tender
 hearted to a Lawyer, If he refuses why pay
 the Spurs to him, the reason I sued him
 he promised to pay an apt I hold against
 him, & when James Dillard presented it he cut
 up my dog, Tell Willis to present my respects
 to Judge Betts, & say to him if I ever have a
 family interest in this place, I'll sue him for
 letting it get in such bad repair, I am
 Respectfully yours &c
 E. L. Ashford

P.S. no Ink

Ward 's initials reversed

Names:

, Willis
 Ashford, E. L.

Betts, Judge
 Coons,

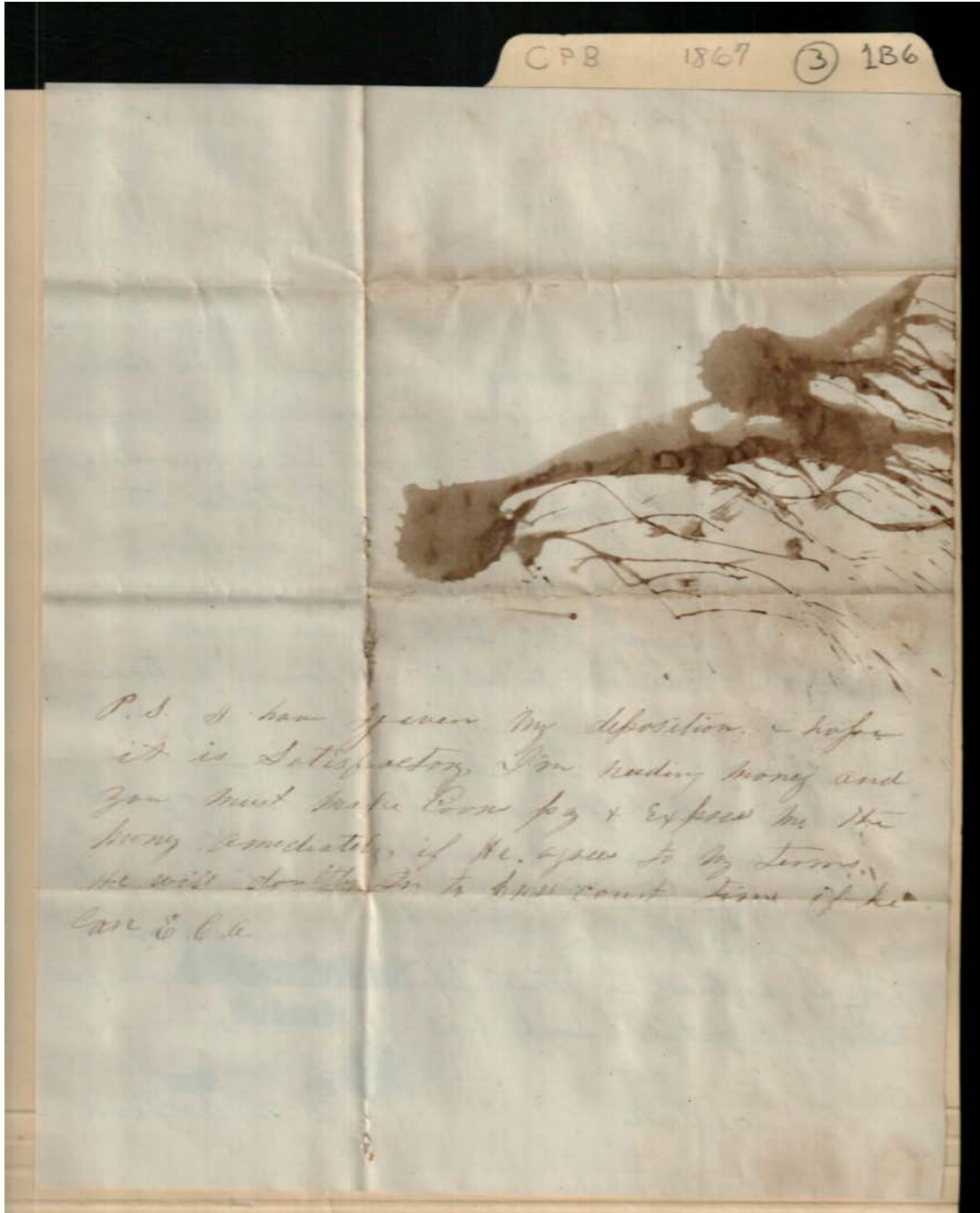
Dillard, James
 Ward, P. F.

Types:

correspondence

Dates:

Feb 12, 1867

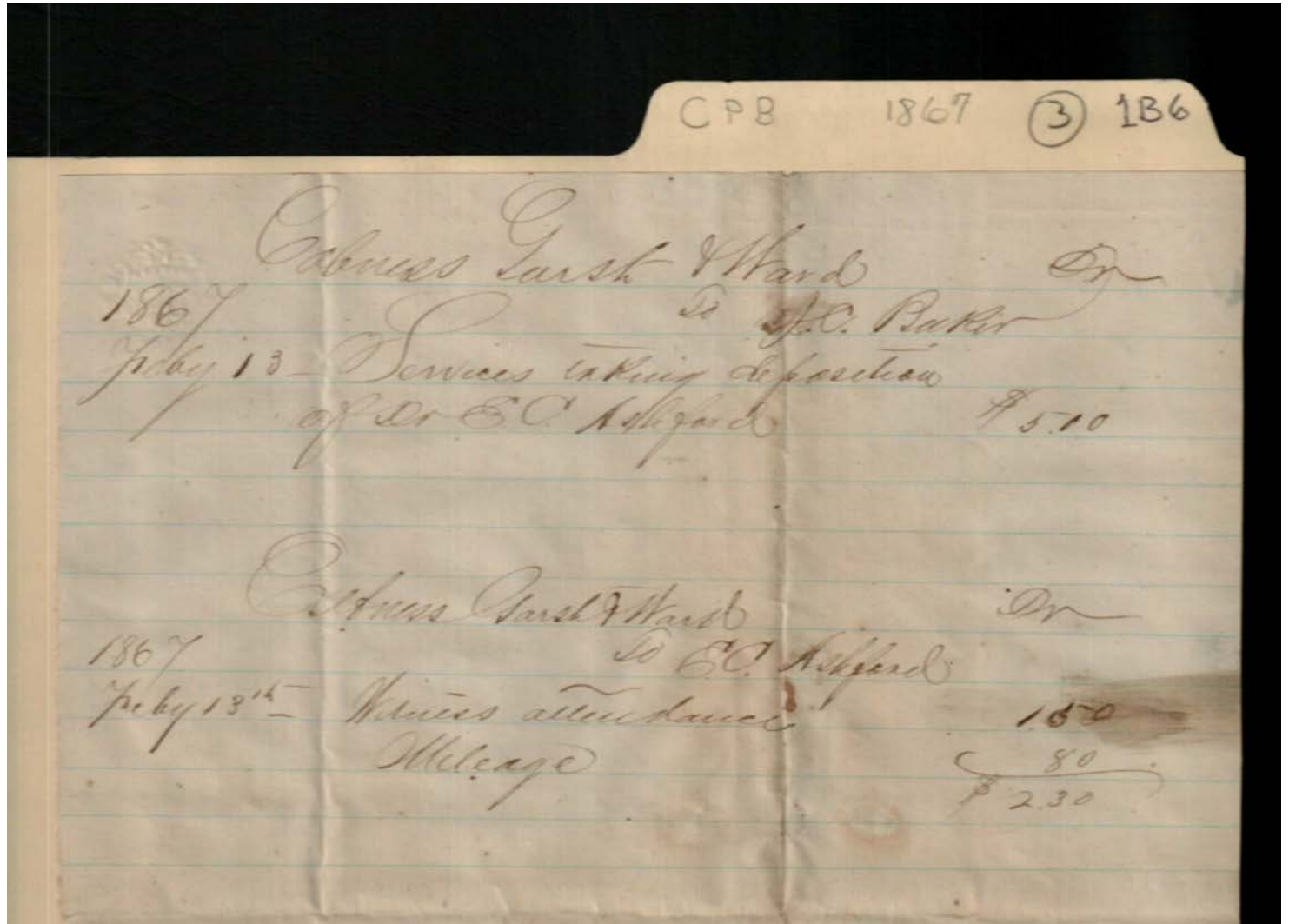


Names:

Coons,

Types:

correspondence



Names:

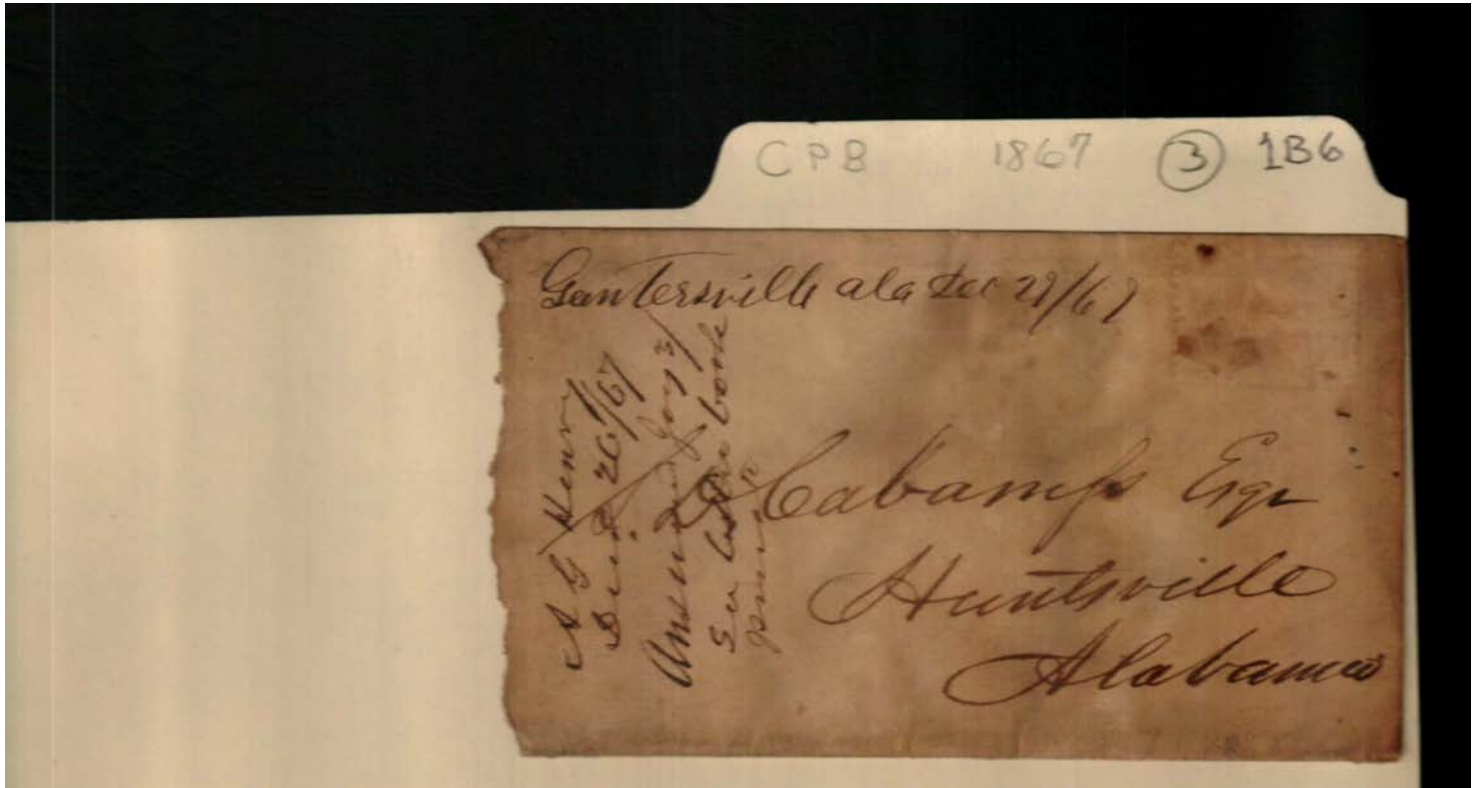
Cabaniss,

Types:

bill

Dates:

Feb 13, 1867



Names:

Cabiness, S. D.

Henry, A. G.

Places:

Guntersville, AL

Types:

envelope

Dates:

Dec 29, 1867

CPB 1867 (3) 186

Guntersville Acco -
Dec 26/67

S.D. Cabaniss Esq
S. D.

Col A. G. Bean, informs
me to deny that the decline giving
possession of the Gunter Residue
that he claims the possession for
the Heirs of Ed Gunter, & that
he gets his authority from said
heirs, & that said Gunter is dead &
that said Gunter had no authority
to act for the heirs of the heirs.
I do not wish the agency if
no difficulty existed & of course
I do not wish to act where
there is conflicting claims & I
wish to surrender my power
of attorney, do you represent
said Gunter, or what would you
advise me to do

Respectfully
A. G. Bean

Names:

Bean, A. G., Col.
Cabaniss, S. D.

Gunter, Daniel
Gunter, Ed

Henry, A. G.

Places:

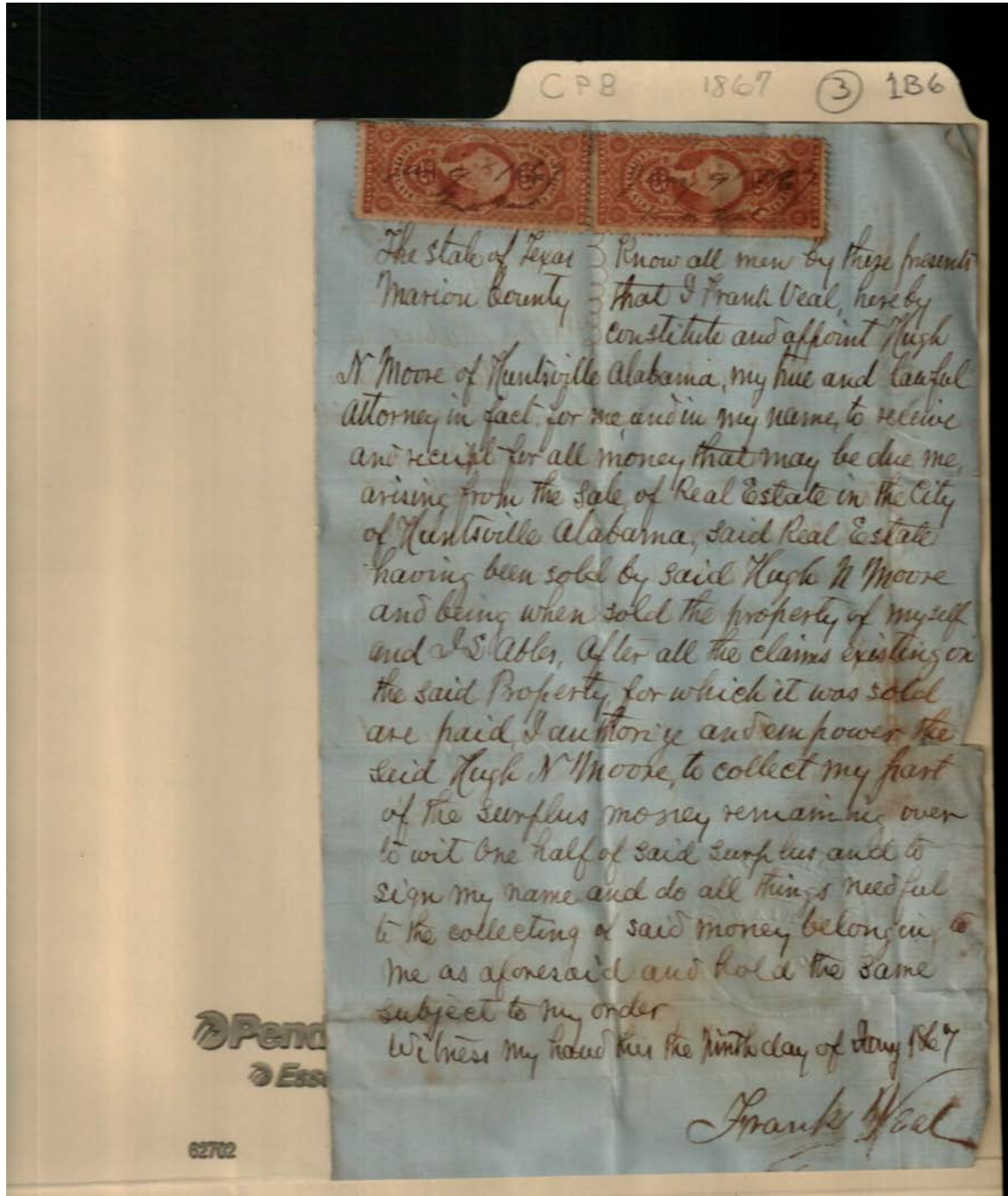
Guntersville, AL

Types:

correspondence

Dates:

26 Dec, 1867



Names:

Ables, J. S.

Moore, Hugh N.

Veal, Frank

Places:

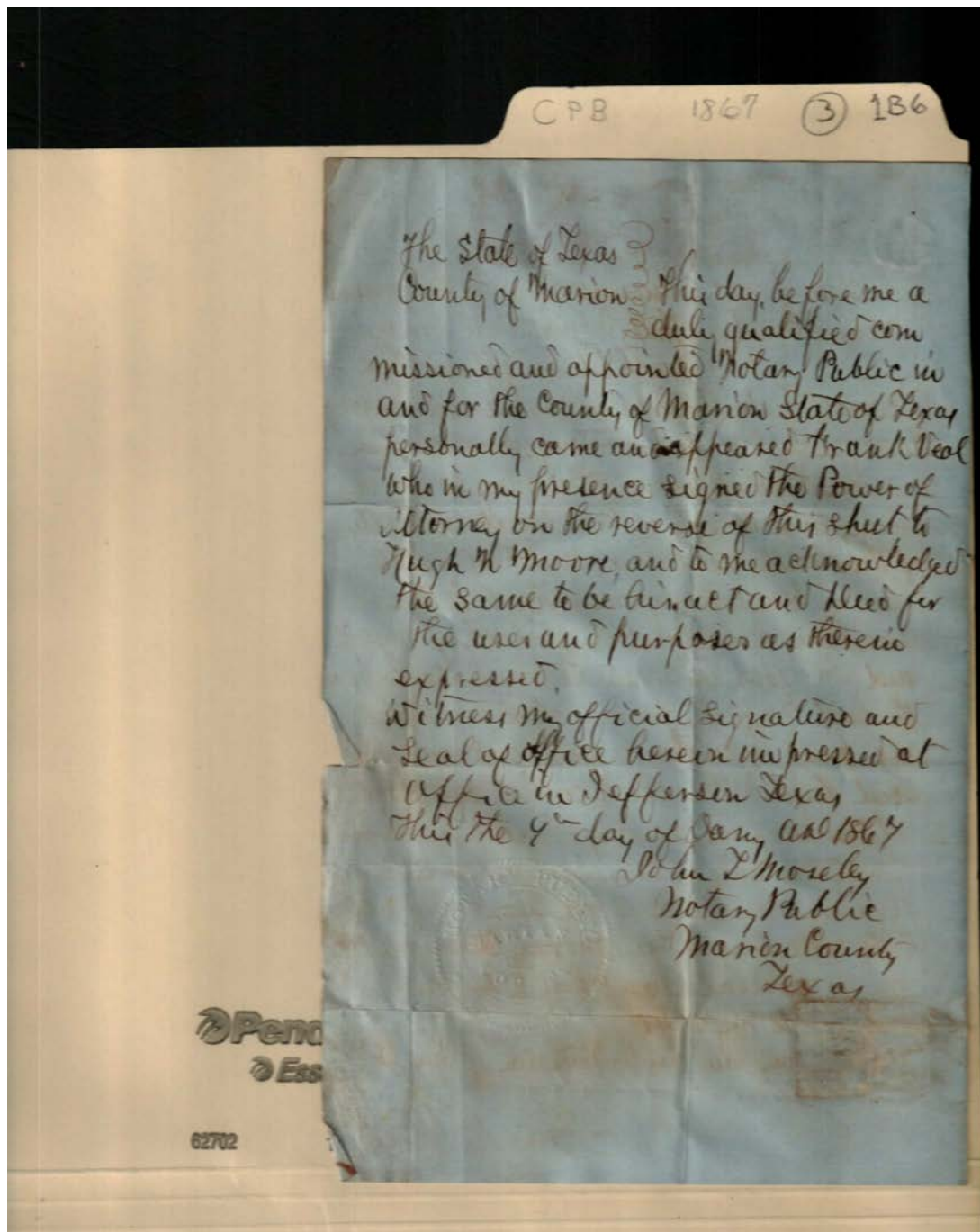
Marion Co., TX

Types:

correspondence

Dates:

Jan 09, 1867



Names:

Moore, Hugh N.

Mosley, John L.

Veal, Frank

Places:

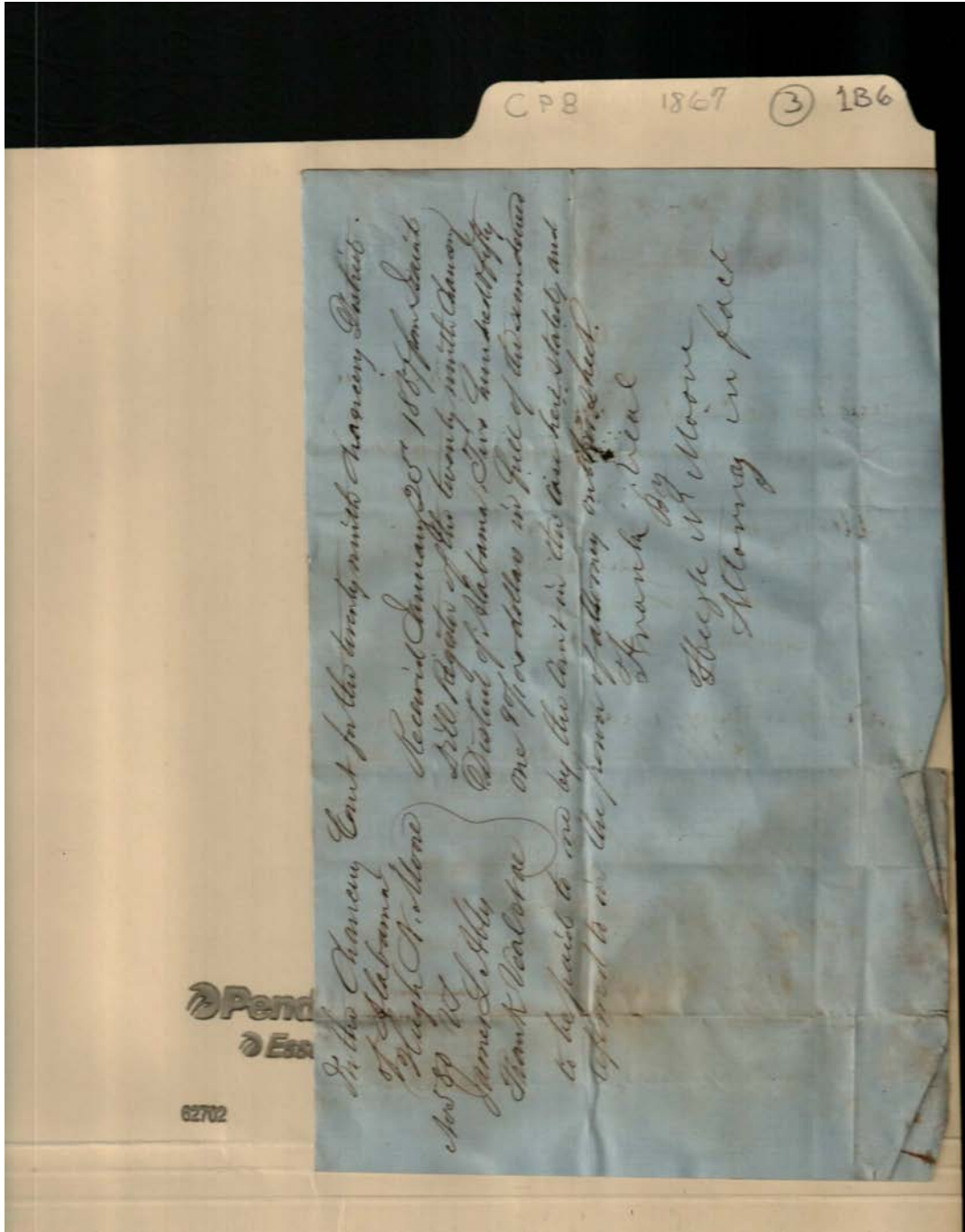
Jefferson, Marion
Co., TX

Types:

power of attorney

Dates:

Jan 04, 1867



Names:

Ables, James S.

Moore, Hugh N.

Veal, Frank

Places:

Madison Co., AL

Types:

receipt

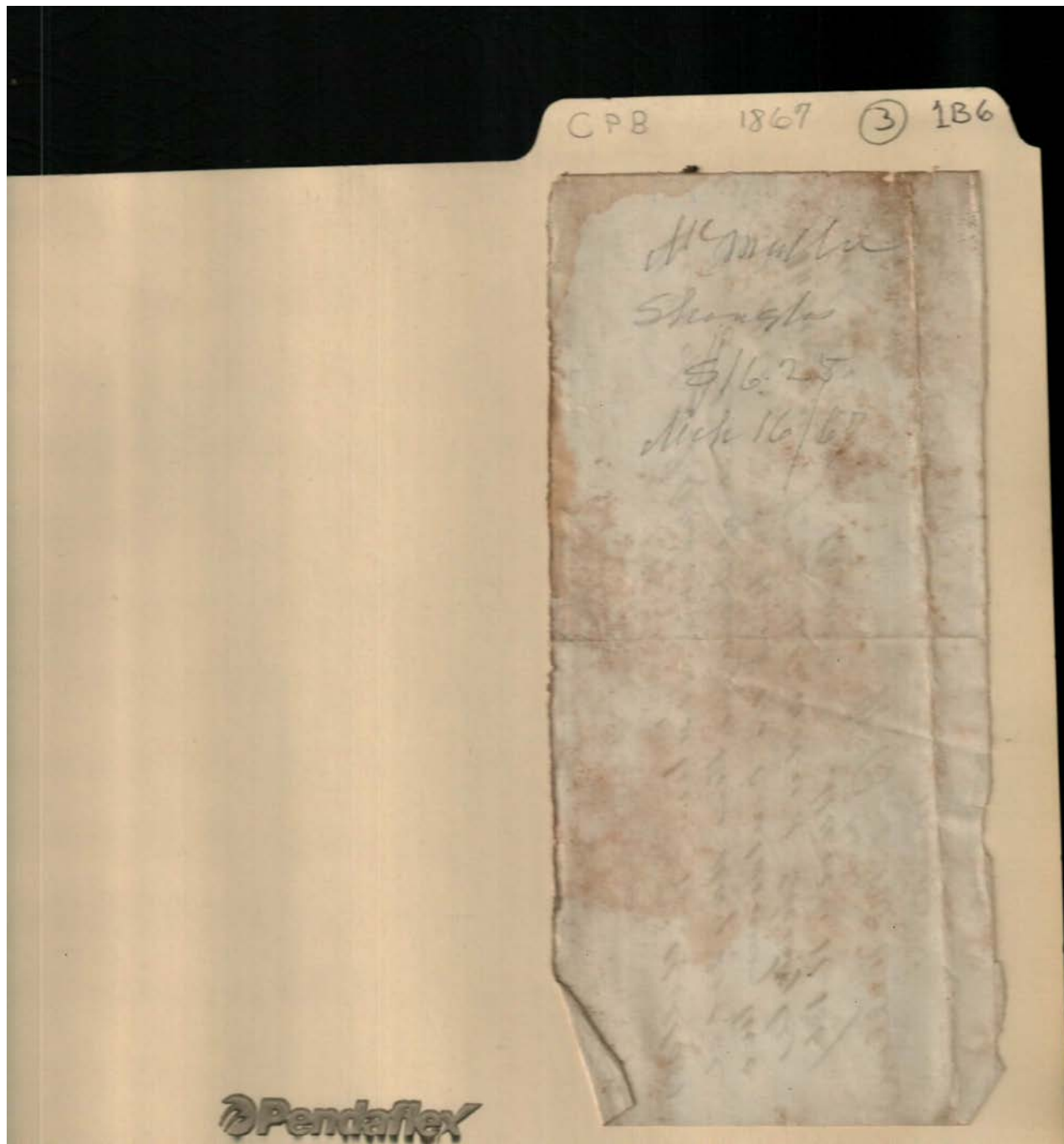
Dates:

Jan 25, 1867

Frances Cabaniss Roberts Collection: Series 1, Subseries B, Box 6, Folder 3

Legal and court documents, 1867

Image 68 r01b06-03-000-0068 [Contents](#) [Index](#) [About](#)



Names:

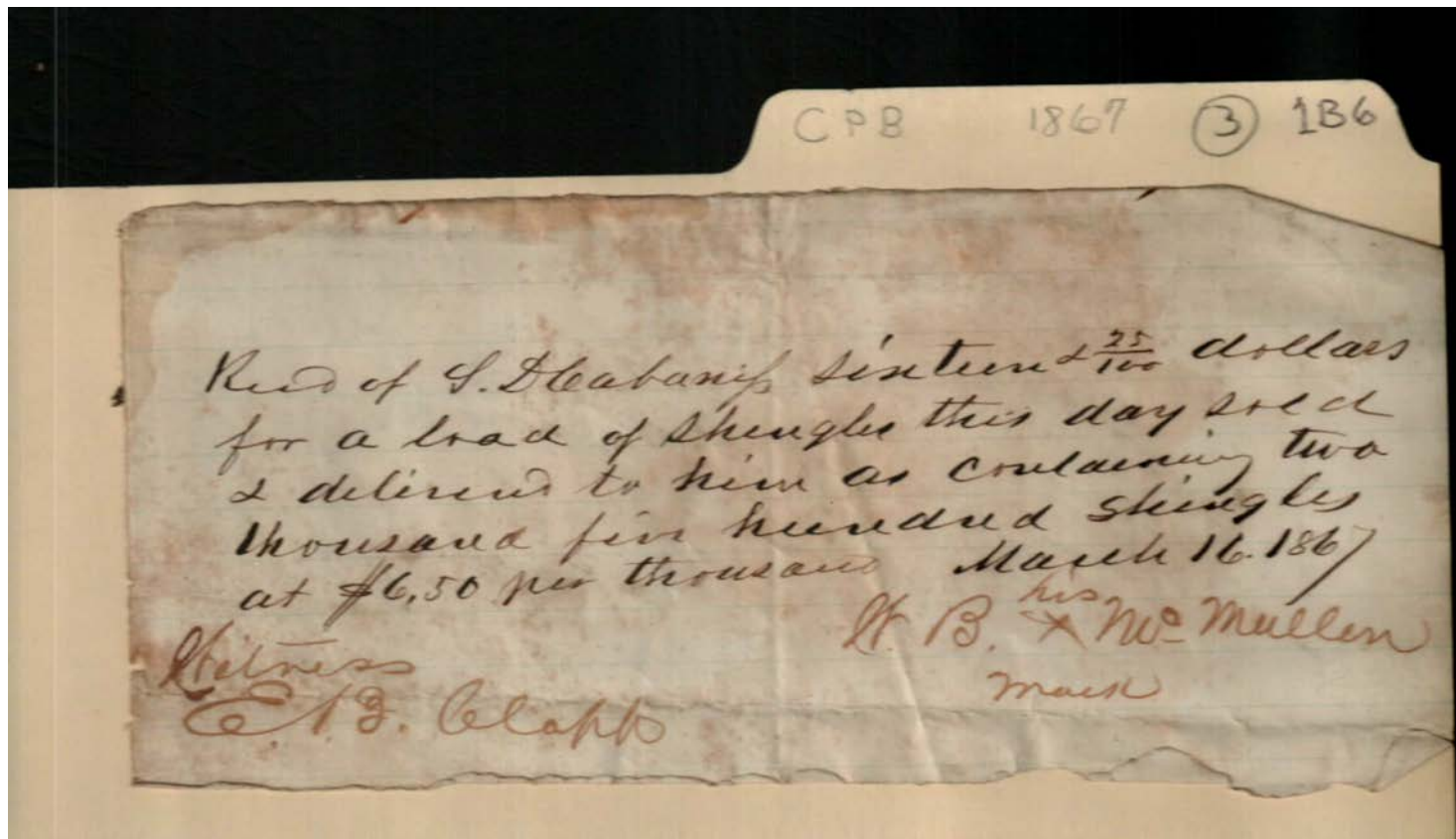
McMiullen,

Types:

memo

Dates:

Mar 16, 1867



Names:

Cabaniss, S. D.

Clark, E. B.

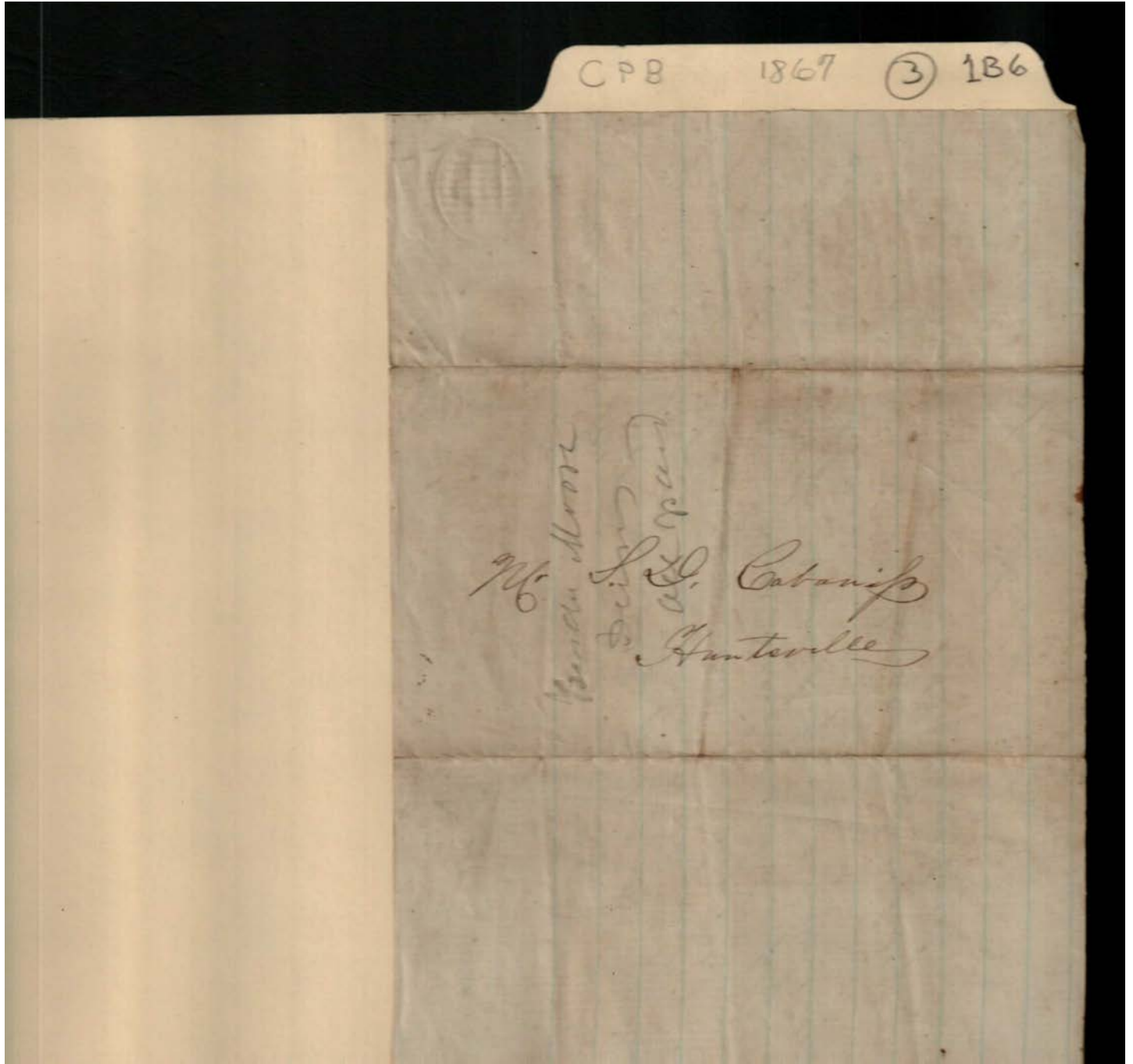
McMullen, W. B.

Types:

receipt

Dates:

Mar 16, 1867



Names:

Cabiness, S. D.

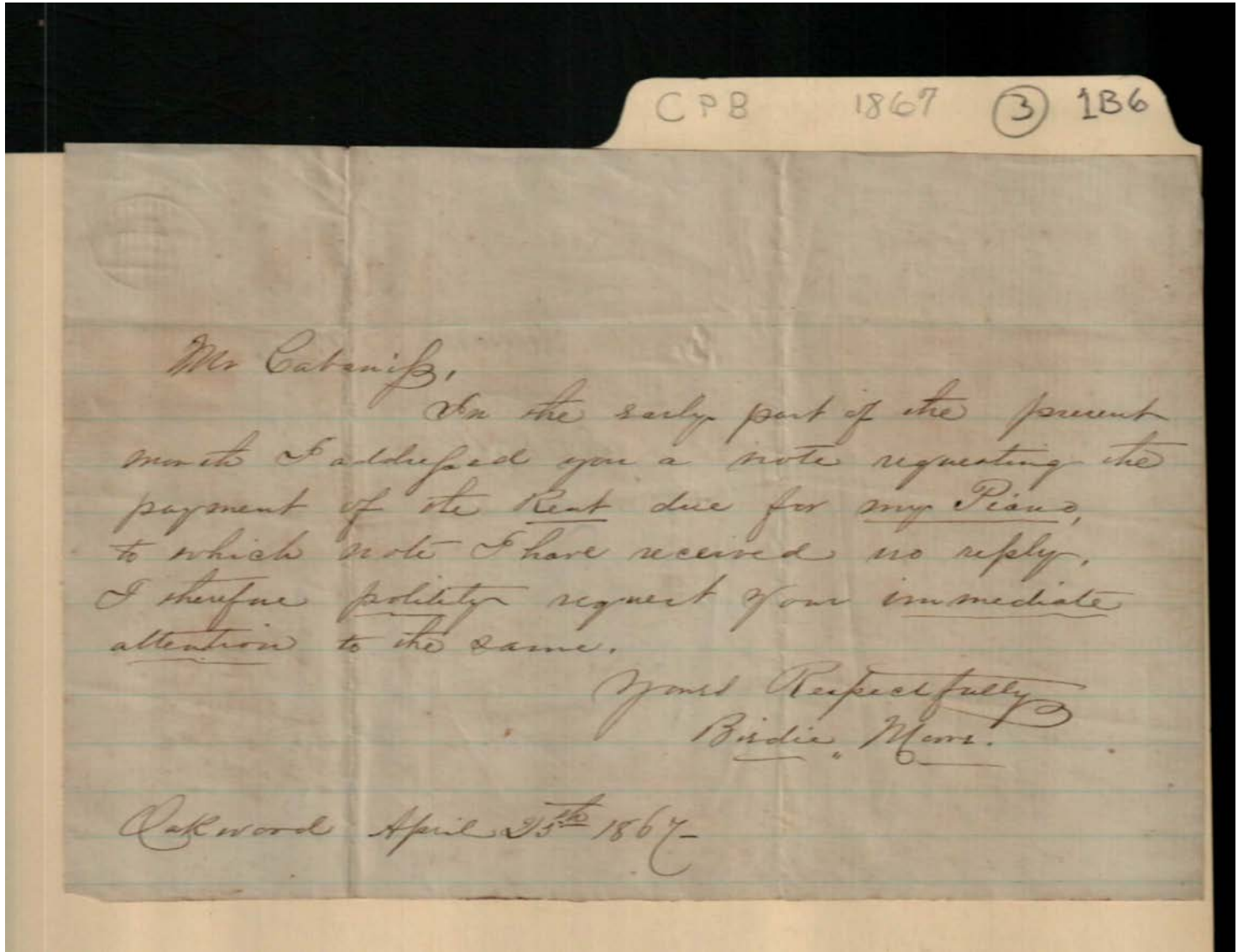
Moore, Birdie

Places:

Huntsville, AL

Types:

memo



Names:

Cabaniss, S. D.

Moore, Birdie

Places:

Oakwood, Huntsville,
AL

Types:

bill

Dates:

Apr 25, 1867

CPB 1867 (3) 156

Huntsville Ala May 13th 1867.

James F. Murrow Tax collector for Madison County Alabama
to Sir.

You advertise a sale, on this day, on
taxes apped to William H Moore, of a lot situated
at the corner of the public square and Washington
street in Huntsville, ^{known} as the Moore block.

If you proceed according to advertisement, I anticipate
trouble to myself and serious responsibility to you.

I therefore protest against this sale for the following
reasons viz:

- 1 That this property was conveyed to me by a deed
of trust executed by said William H Moore viz on the 10th
day of May 1866 and recorded in the Probate court of
said county.
- 2 That you were notified of this conveyance before
advertising this sale and requested to proceed against
other property.
- 3 That you propose to sell this property for the payment
not only of the taxes apped on it - but of all taxes
apped to said Moore.
- 4 That said Moore has goods and chattels within the
county not exempt from levy and sale for taxes
which you ought to levy upon and sell before pro-
ceeding against real estate.

See acts of 1865 page _____ Also Stat. in Dig. 12 Ala 617

- 5 That your advertisement does not state "the amount
of taxes due and all cost including the expenses of

Names:

Moore, William H.

Murrow, James F.

Places:

Huntsville, AL

Types:

correspondence

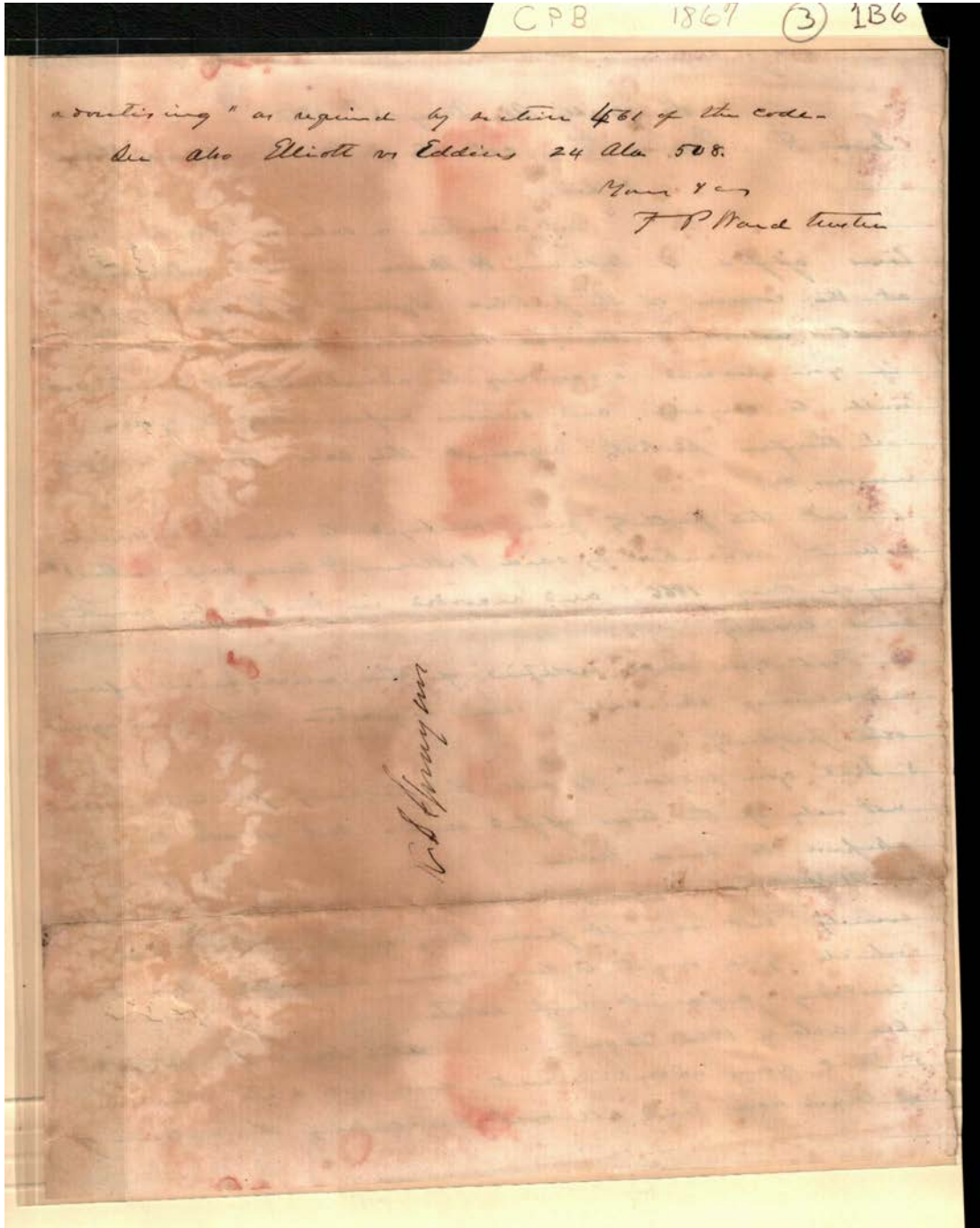
Dates:

May 13, 1867

Frances Cabaniss Roberts Collection: Series 1, Subseries B, Box 6, Folder 3

Legal and court documents, 1867

Image 73 r01b06-03-000-0073 [Contents](#) [Index](#) [About](#)

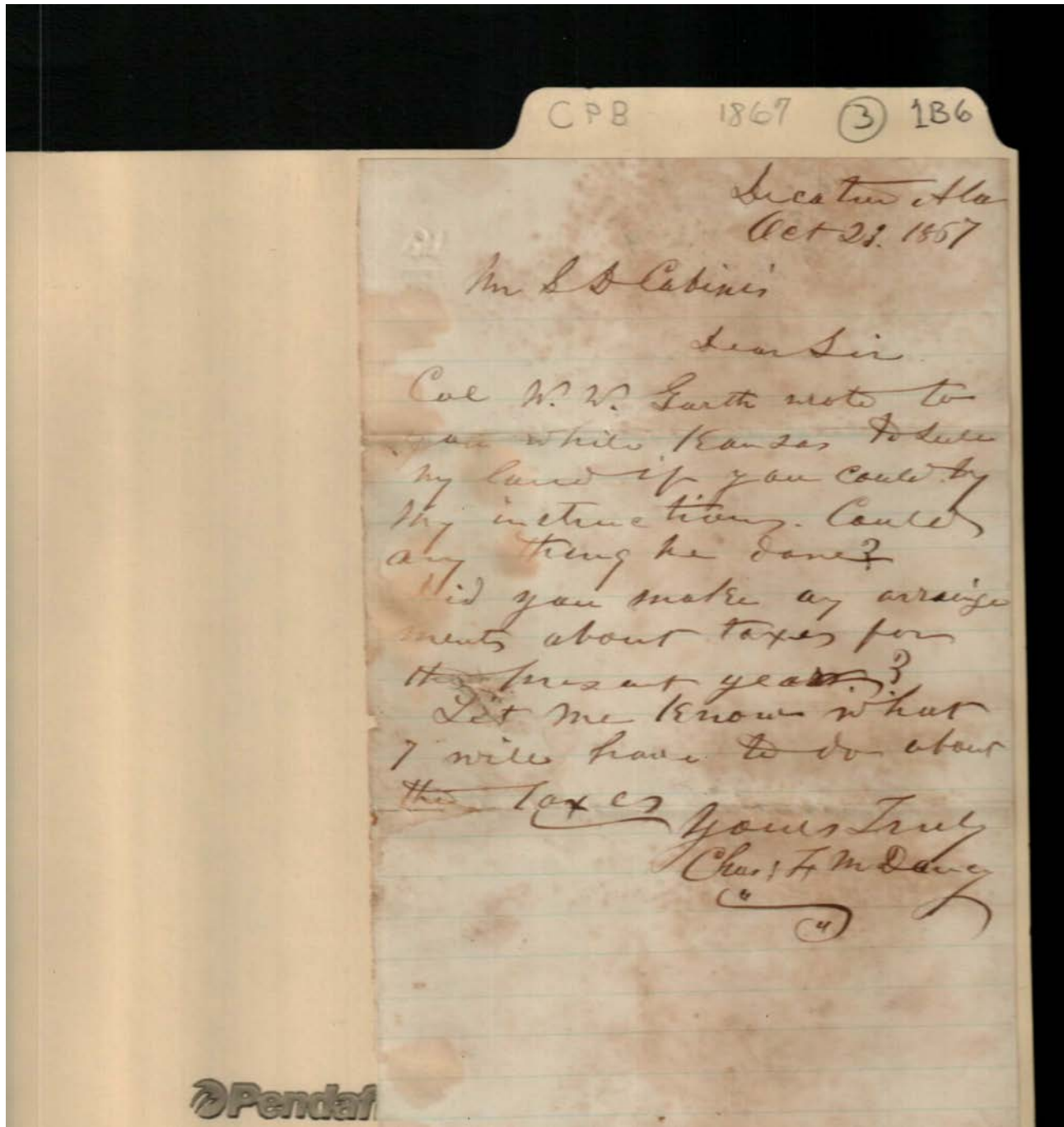


Names:

Ward, F. P.

Types:

correspondence



Names:

Cabaniss, S. D.

Dancy, Charles F. M.

Garth, W. W., Col.

Places:

Decatur, AL

Types:

correspondence

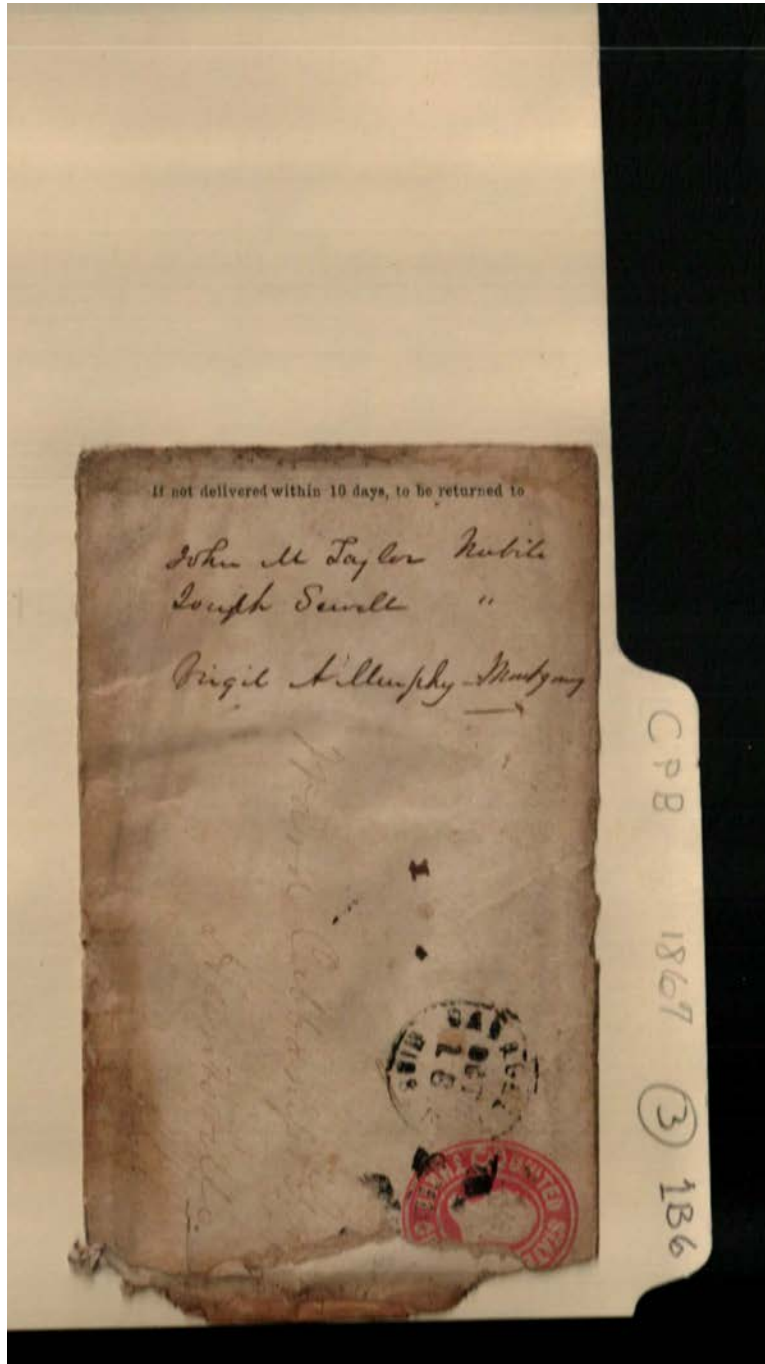
Dates:

Oct 21, 1867

Frances Cabaniss Roberts Collection: Series 1, Subseries B, Box 6, Folder 3

Legal and court documents, 1867

Image 75 r01b06-03-000-0075 [Contents](#) [Index](#) [About](#)



Names:

Cabiniss,
Garth,

Murphy, Virgil A.
Sewell, Joseph

Taylor, John M.
Ward,

Places:

Mississippi

Types:

memo

Dates:

Oct 16

CPB 1867 (3) 1B6

Winona Miss 15th Oct 1867

Wm Cabaniss Esq
 Garth, & Mastin, Attys
 New York

I forgot to call your attention to the fact that C. 4. 5. 6. 7. 8. 9. 10. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100.

Names:

Cabiniss,
 Foster, E. H., Col.

Garth,
 Lowe, Mrs.

Mastinson,
 Ward,

Places:

Winona, MS

Types:

correspondence

Dates:

Oct 15, 1867

CPB 1867 (3) 186

2
 concerning any rights in which he could not
 participate or could not convey at all
 under the common law, nor statutory, not
 the intervention of a trustee - but about this you
 know, I do not. The Mayhew died, \$5000
 I think certain of giving a statutory Sep Estate
 in remainder to Mrs. Lowe & under to and
 such subject to valuation - & she is Char-
 itable with what she has used from the Admors
 as the Charity Laws to widows seems
 to me only to apply to inclosed estates, there
 must be a cause for legislation / an object
 to be accomplished, & if a widows distributive
 portion of an estate worth \$100,000 or more
 she could never initiate the statute
 of a legislature, nor can I think the Charity
 donations applicable to any other than
 Estate Men Lands; but excuse all this &
 let me present your matter, after seeing
 you I endeavored to get Eichel's meet the
 question of Adv a p^o & he promptly took
 the position of one question at a time, & wanted
 Mrs. Lowe's matter concluded & said we must
 in honor by it. I told him he had simply put
 the issue, which way to adjust the two questions
 Sep Estate & Adv a p^o - so as to divide
 the land, the latter being the point aimed at,
 He then said there would be no chance for you
 to decide the land, if Mrs. Lowe's matter was not

Names:

Lowe, Mrs.

Mayhew,

Places:

Winona, MS

Types:

correspondence

Dates:

Oct 15, 1867

CPB 1867 (3) 186

3

Considered as settled, he was done -
 I settled my will, that the only course
 left was to ask the Chancellor to Cause
 the Admrs to be allowed to separate the subjects
 of Advancements &c of separate estate
 from all other, that as soon as settled
 the land might be used by those who needed
 it so much. (For support of Mrs P for instance
 the last money was invested in this year
 operations & gone, for we had not much of
 money) The last part I did not mention,
 The day after the Chancellor above, he
 promised that Mrs B's adv acct should
 be regarded as arrangements made for divid-
 ing the land - by Cause the other adv
 to be as before stated - In case of failure
 to do this, you must ask that the Chancellor
 decree that the Admrs do be allowed separate
 the questions as above, and by bill of discovery
 & all other processes provided by law cause
 the parties to settle their questions or either
 by the Attorney, enable the Court to do so
 In the compromise of these 2 questions
 as promised by Foster is made, & he is allowed
 to receive more of the land than his wife is en-
 titled to, for which he is willing payment
 should be made, yet all the corn fodder
 collard seed & such, a mule or two muzzles
 or any thing that will aid in making a living

Names:

Foster,

Places:

Winona, MS

Types:

correspondence

Dates:

Oct 15, 1867

GPB 1867 (3) 186

The same he could span cover - in addition
 to the amt which he will owe for the dis-
 crepancy between the amt of land received
 when it was to which he will be entitled
~~the amount~~ of what Mrs P. would be
 entitled to if he says that Mrs P. of
 the land is divided into 4 parts & he
 is entitled to one thousand dollars more
 than portion of land
 After the land is divided into 4 portions
 each chargeable with the discrepancy, (this is
 right and you will pardon me for stat-
 ing that perhaps I know more of the cir-
 cumstances than you do.) and each
 portion valued, then and perhaps it is
 best not to mention it sooner, before a
 draw is concluded, as they had to
 get our old place if possible, it is less valuable
 than the other side is, for that side of
 other we want it. We are not able to
 build - by this sort of arrangement
 you may be able to borrow for a time
 & have a note on some of our party to trans-
 fer to you for free -
 Get our old place if possible, we want
 to be convenient to school & neighbors (I think
 it is very poor mostly as Mrs Elliott only
 tells you, - I do not know whether I told
 you that I had written that to promote
 Mrs Lowe during the war with a list of
 the losses sustained by Estab on wife of Andrew

Names:

Elliott, Mr.

Places:

Winona, MS

Types:

correspondence

Dates:

Oct 15, 1867

CPB 1867 (3) 186

And that my Love to Mr. McCartney
 & recollect that she has placed in (Lewis's hands
 I think) for collection before month,
 might you not to know whether any collection
 has been made, or whether the subject is
 still prostrate in the way - Mrs.
 Money of Haysboro used payment for the
 horse, taken from him, & returned pay made
 at Huntsville & it is possible that Mrs. Low
 need some thing there or at Washington, do
 about this as you think right -
 The Adm. to now must be hurried
 up if necessary, in securing the value of
 Cotton which passed out of the possession
 of Estate, out of more than 600 bales,
 I think over 500 ~~in~~ that condition.
 And nothing must be done in Chancery
 to stop this Claim, on the other hand
 all steps taken necessary to establish it -
 Recollect my opinion that E.H.
 It has entertained the idea of preventing
 any adjustment whatever to obtaining for him
 self & Securities, a release from all demands,
 if such should be the case, that he seeks
 to avoid accountability for his past
 defiance of the law, more instantly
 to cause the Adm. to now to fore the Adm.

Names:

Lowe, Mrs.

McCartney, Mrs.

Mosley, William

Places:

Winona, MS

Types:

correspondence

Dates:

Oct 15, 1867

CPB 1867 (3) 186

6
 question shall other, which may be near
 I think if Mrs. Laws gets clearly a
 release to the lot of all demands now
 - & then after, it would be settle; provided
 the questions insisted upon by his lawyers
 were continued, otherwise, by the adm
 or to non or in some way otherwise
 let them continue to proceed
 I have written you a long letter,
 but our future means of support
 must come from that estate &
 to us therefore these questions are
 vital - Est. of the wife here
 after provide for him, he has endeav
 to protect his wife's interest by deed of
 trust - and they are safe, he has
 2 grown sons to aid him, my family
 is helpless if my health broken - and
 it is right morally & legally that we
 get what may be due on a full
 & speedy settlement of the estate
 Yours Truly
 John Phinizey

The desire the adjustment of assets is not stated
 upon notes from other questions, & the land divided
 the assets of the estate of Mrs. Laws as stated in P 10
 Court Mrs. Laws as stated in Chancery & Personal P 10
 stated by a man named possession of release -

Names:

Lowe, Mrs.

Phinizey, John

Places:

Winona, MS

Types:

correspondence

Dates:

Oct 15, 1867

CPB 1867 (3) 1B6

7 do not withdraw our answer in Chancery —
but file our revocation of authority to
E H Adams, in connection with the bill
of Exchange \$6900, at that time then
was on file the application of Adams to
divine Slavery (176) in Prob Court, & it con-
stituted the consideration, with the verbal
declarations of the same import of the
other Distributees — and it was the only
reason given by me to Mrs. Phinizy to
take the step —

Names:

Phinizy, John

Places:

Winona, MS

Types:

correspondence

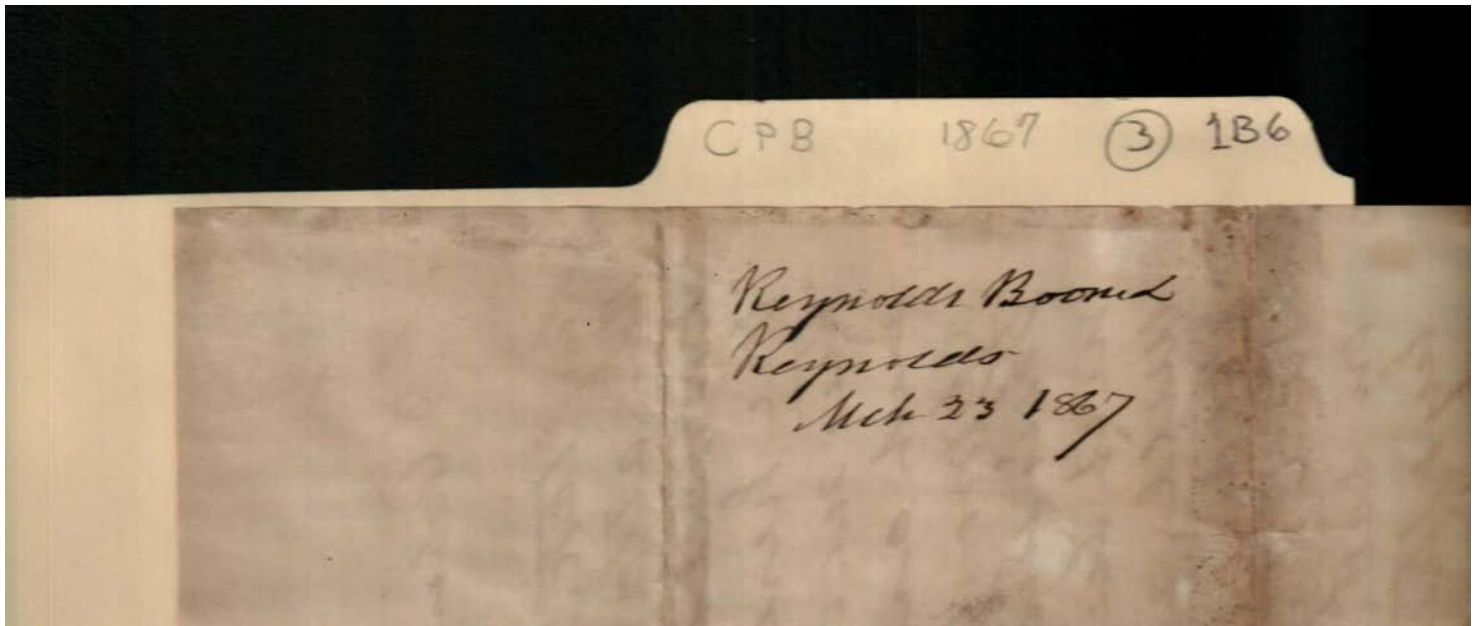
Dates:

Oct 15, 1867

Frances Cabaniss Roberts Collection: Series 1, Subseries B, Box 6, Folder 3

Legal and court documents, 1867

Image 83 r01b06-03-000-0083 [Contents](#) [Index](#) [About](#)



Names:

Reynolds,

Types:

memo

Dates:

Mar 23. 1867

CPB 1867 (3) 186

Jacinto Tex March 23 1867

S D Cabaniss Esqr

Judgments have been this day taken against Wade on the attachment in favor of yourself and King & Co. We herewith enclose you the necessary bond to be filed out and returned for the approval of our court. This will not leave here before next Tuesday morning but will reach you Tuesday or Wednesday and will get back here by the mail from Dallas on Saturday next if not sooner by other routes if you do not delay to long. Have received two letters from you but they need no answer.

Yours truly
Reynolds & Stone Reynolds

Names:

Boone,

Cabiniss, S. D.

Reynolds,

Wade,

Places:

Jacinto, MS

Types:

correspondence

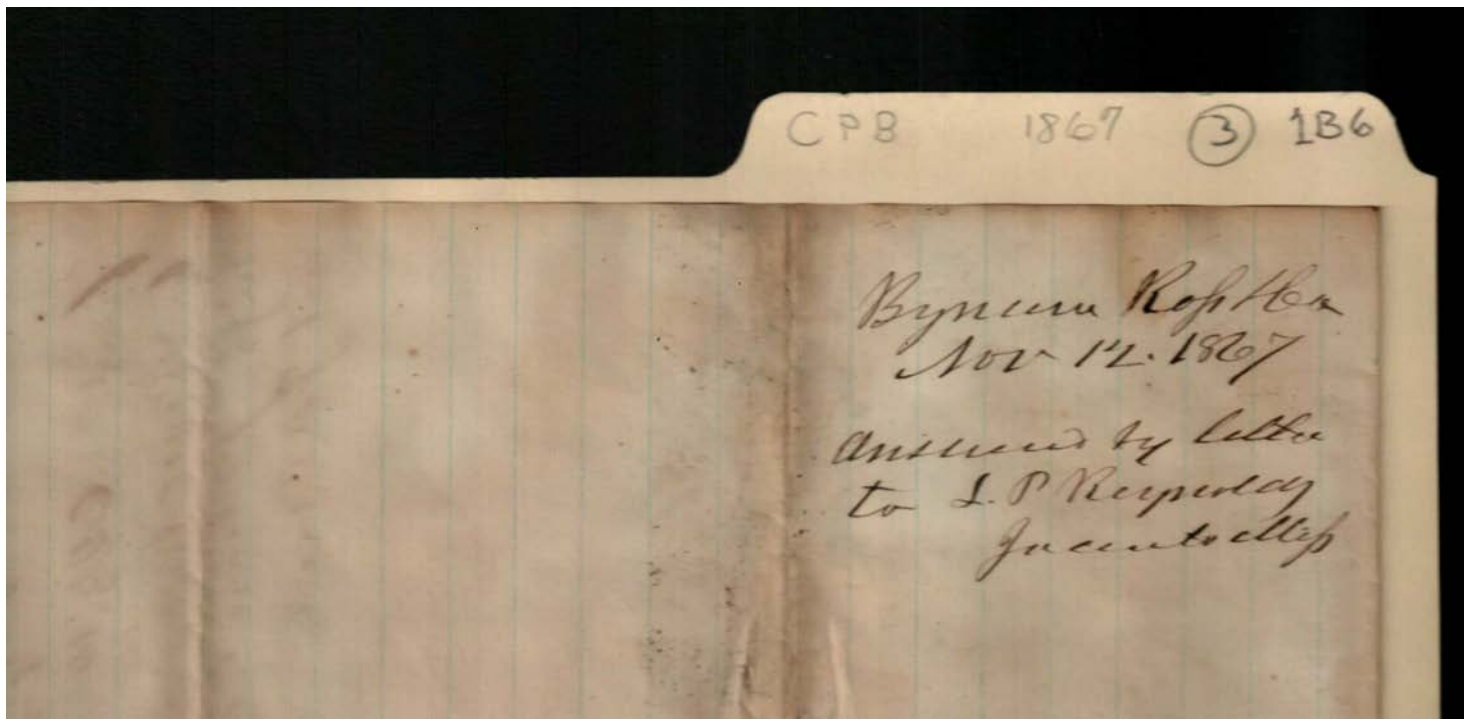
Dates:

Mar 23. 1867

Frances Cabaniss Roberts Collection: Series 1, Subseries B, Box 6, Folder 3

Legal and court documents, 1867

Image 85 r01b06-03-000-0085 [Contents](#) [Index](#) [About](#)



Names:

Bynum, Ross

Reynolds, L. P.

Types:

memo

Dates:

Nov 12, 1867

CPB 1867 (3) 1B6

Rienzi Miss Nov 12/67
S D Cabiness Esq
Enclosed you will please
find $23 \frac{14}{100}$ dollars which we had you
by directions of S P Reynolds of Jacinto
Miss please acknowledge receipt here
at Jacinto Miss
Yours &c
Bynum Ross

Names:

Bynum, Ross

Cabiness, S. D.

Reynolds, L. P.

Places:

Rienzi, MS

Types:

correspondence

Dates:

Nov 12, 1867

CPB 1867 (3) 186

Jacinto Miss Dec 12 1867

S I Cabaniss Esqr
Dear Sir

Enclosed please find
Sixty three dollars and eighty cents
\$63.80 in currency which we send
you by direction of Mr J H King
and which less one dollar due Mr
King for amount advanced for ma-
nual stamps is the net proceeds
of the judgment of King + Johnson against
D Wade Jr and you will therefore
account to Messrs King & Johnson for \$62.80 &
to Mr K for \$1.00. We have this day
written Mr King giving statement
and full explanation and will
forward you the money by Express
the last of this or first of next month
when the writer will go to the R R.

Your friends
Reynolds Boone & Johnson

Names:

Boone,
Cabaniss, S. D.

Johnson,
King, J. H.

Reynolds,
Wade, D.

Places:

Jacinto, MS

Types:

correspondence

Dates:

Dec 12, 1867

CPB 1867 (3) 186

Handwritten financial notes and calculations on aged paper. The top section contains several columns of numbers, some with horizontal lines indicating sums or differences. The middle section features a signature and title: "S. D. Cabaniss, Atty at Law, Huntsville, Alabama". The bottom section includes a list of names and amounts, followed by a detailed explanation of a payment or settlement.

King 34.10
Johnson 28.95
Expenses 75
Total 63.05

Johnson has applied to pay costs dismissed all
King's \$34.10 - balance
bal on his bond for \$47.50
left \$4.15 to be applied to
note for \$74-

Names:

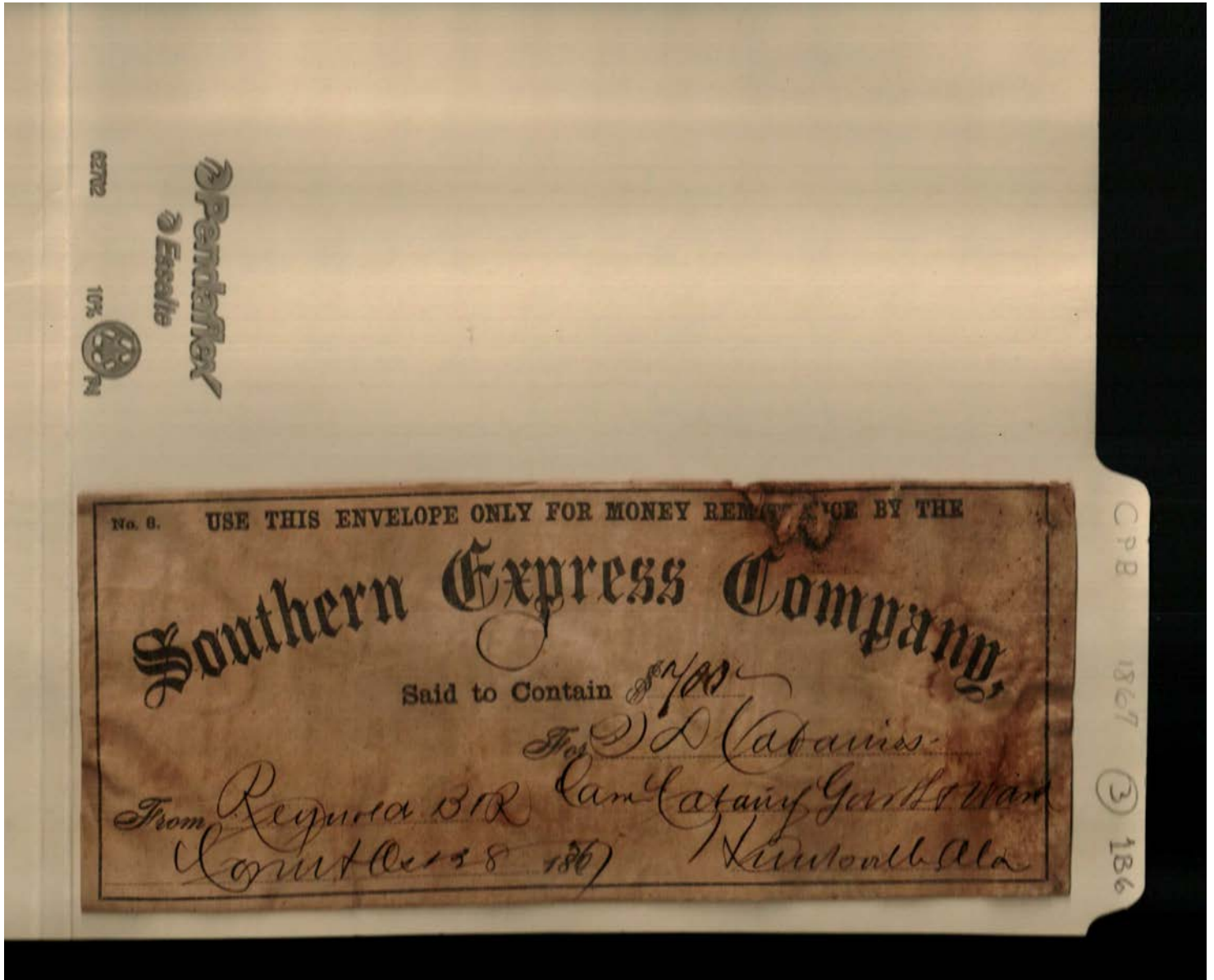
Cabaniss, S. D.

Johnson,

King, J. H.

Types:

memo



Names:

Cabiness, S. D.

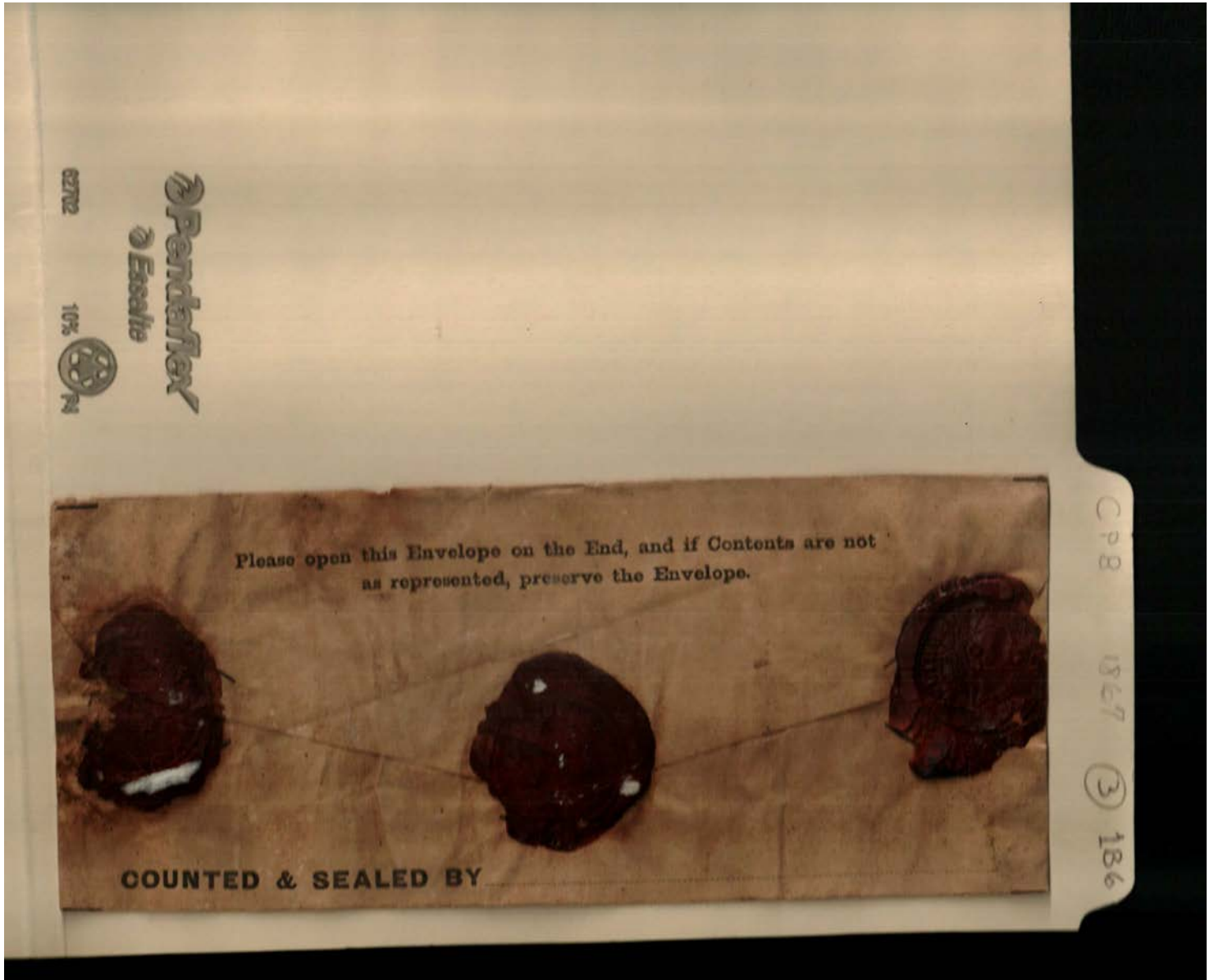
Reynolds,

Types:

money order

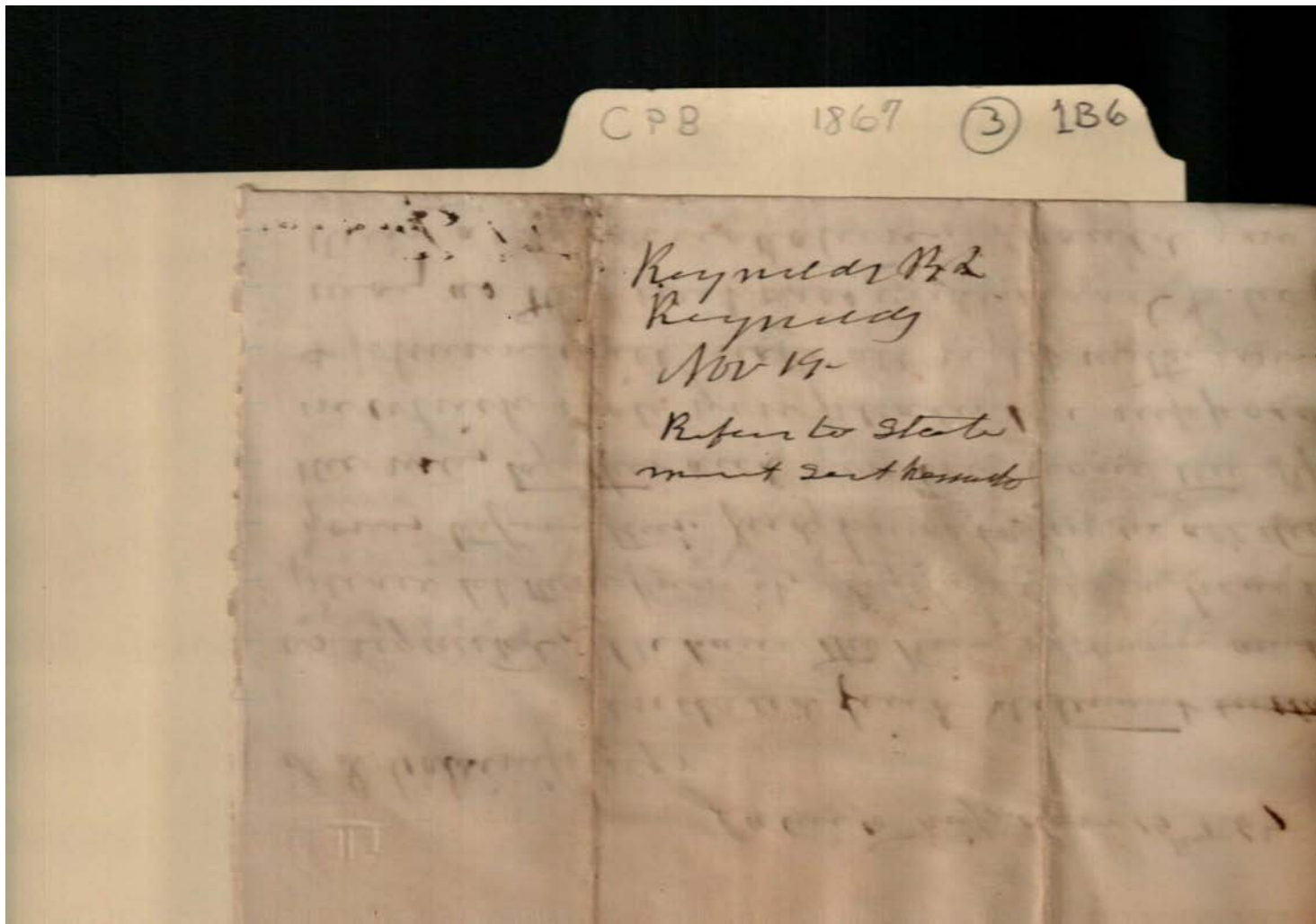
Dates:

Oct 28, 1867



Types:

envelope



Names:

Reynolds,

Types:

memo

Dates:

Nov 19

CPB 1867 (3) 186

Jacinto Miss Nov 19th 1867

I & Cabaniss Esqs

Enclosed find statement ~~to~~ ~~of~~ ~~the~~ ~~case~~ ~~as~~ ~~requested~~, We have the King & Johnson already
pleaded let them know it. Suppose you had seen
yours before this. Judgt was taken on all these of
the note, together and you can have the office
in which note you please. We suppose King
& Johnson will make all right with you any
way as the suit was understood to be for
their accommodation. Should you need
anything further please let us know.

Yours truly
Reynolds, Boone & Reynolds

P.S. The statement above was made out to
and you some time ago and the minutes
counted them ahead of the time so as to make
it easy

R. B. R.

Names:

Boone,
Cabaniss, S. D.

Johnson,
King,

Reynolds,

Places:

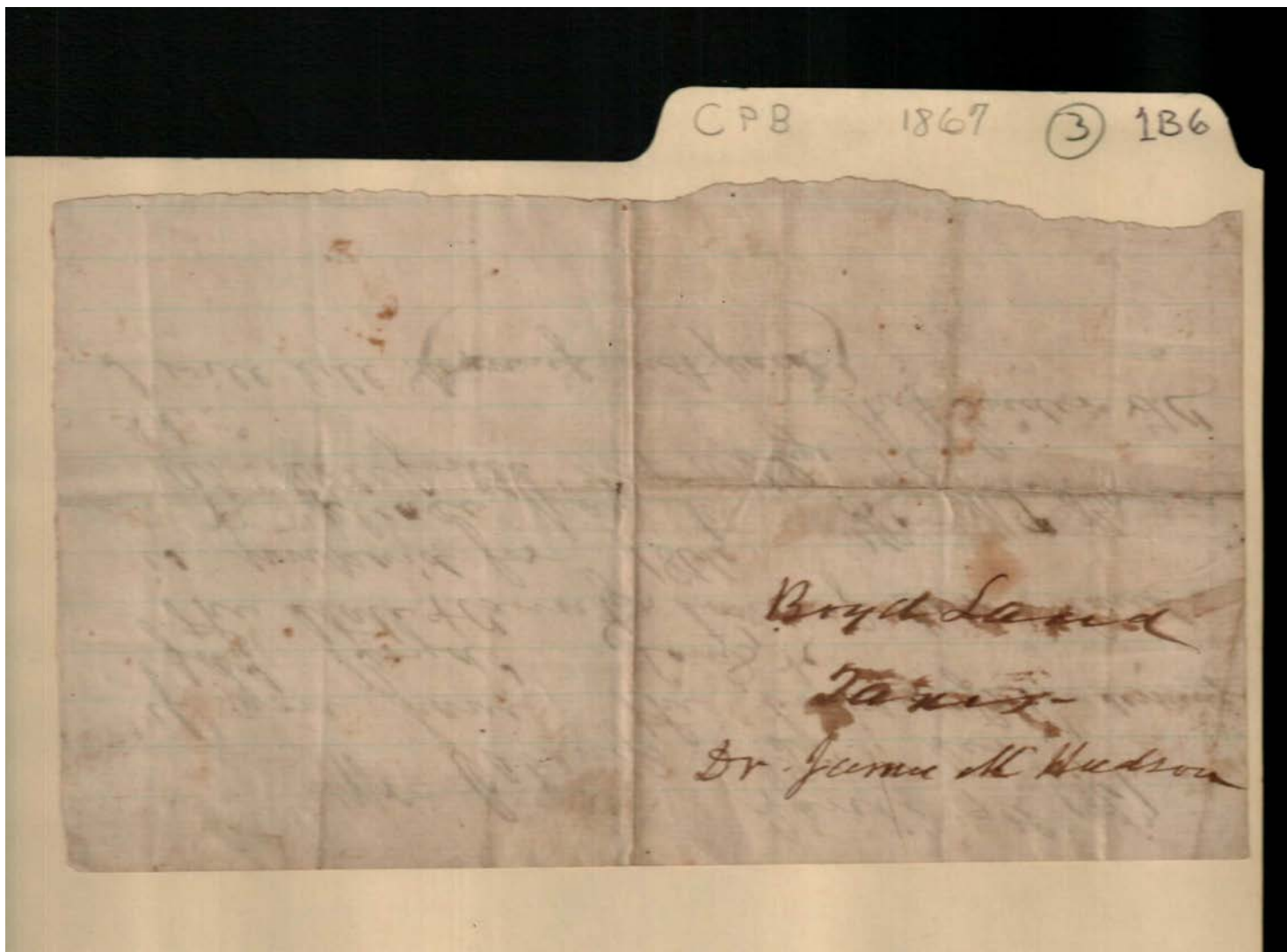
Jacinto, MS

Types:

correspondence

Dates:

Nov 19, 1867



Names:

Boyd,

Hudson, James M.,
Dr.

Types:

memo

CPB 1867 (3) 1B6

April 9th 1867

Mr. Cabaniss Dr. Sir

if you have the buisness concerning
Jas Boyd's Land, &c
The State & County tax of said land
is unpaid for 1866
& please pay to Hon. M. T. Brown
at Keokuk & Oblige
A. A. Grider J.C.

I will tell you if not paid

Names:

Boyd, James

Brown, M. T.

Cabaniss, Mr.

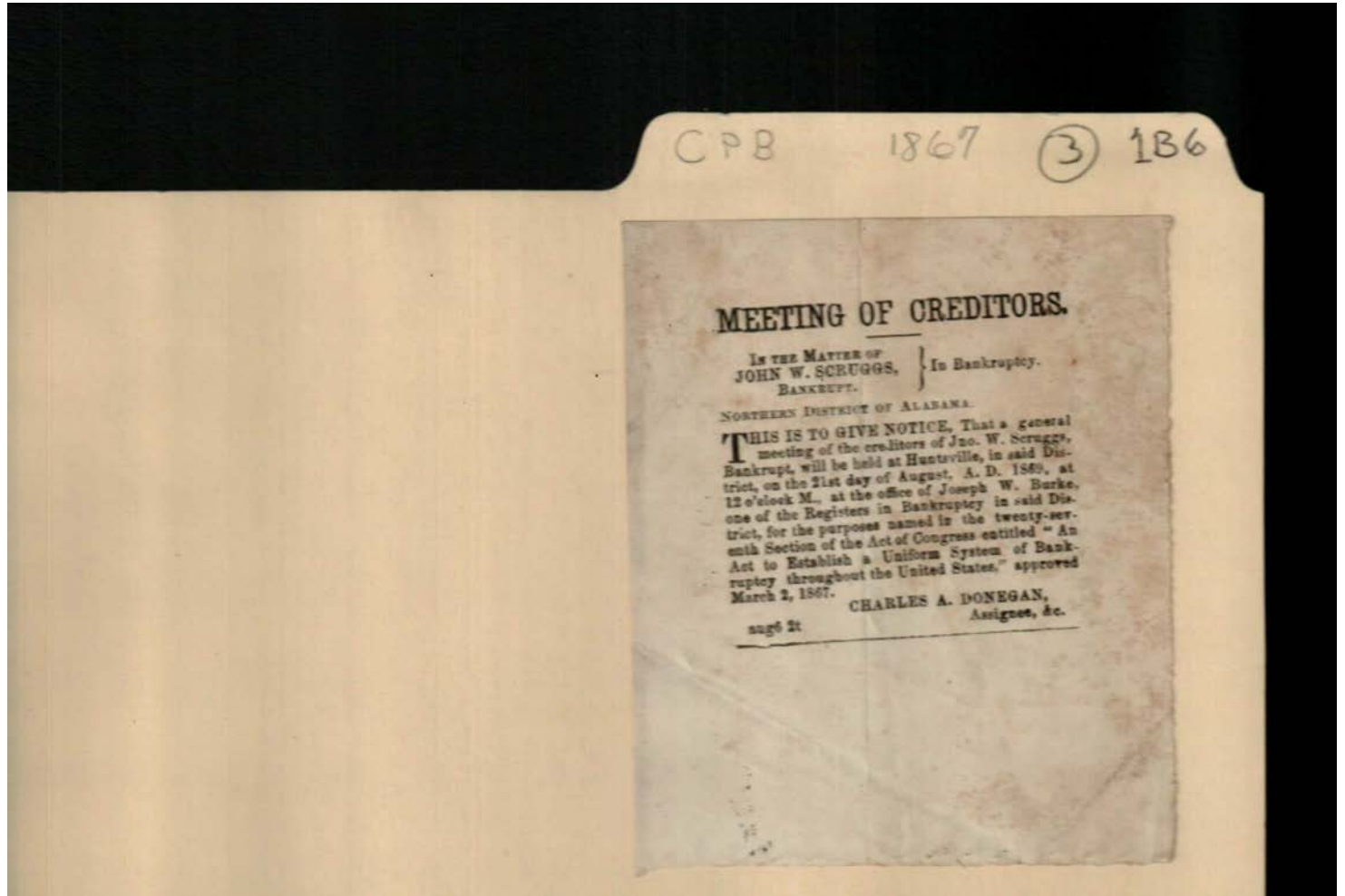
Grider, A. A.

Types:

correspondence

Dates:

Apr 09, 1867



Names:

Burke, Joseph W.

Donegan, Charles A.

Scruggs, John W.

Places:

Huntsville, AL

Types:

bankruptcy

CPB 1867 (3) 186

Gallatin, Tennessee
Feb 6th 1867.

Mrs. Cabaniss Garth & Ward
Huntsville Ala.

Gentlemen:

Upon the recommendation of Gen. W. B. Bate we address you upon the subject of a claim we hold upon Mr Benjamin Rogers. In the year 1859 Mr Joseph Fowlkes of Huntsville Ala. came to Sumner Co. Tenn. and procured from Mrs Adeline Garrett and Mrs Margaret Shoulders, a power of attorney authorizing Mr Benj Rogers to sell a lot of negroes belonging to the estate of Samuel Fowlkes Dec'd. and divide the proceeds among the heirs of said estate, among whom were Adeline Garrett, and Margaret Shoulders, before mentioned. Now these two heirs last mentioned claim that said Rogers did sell the negroes, and did pay to the heirs then living in Ala. their proportionate share of the proceeds, but did not pay to them their share.

We desire you to look among the Records of the Court and examine the Power of Attorney given to said Rogers. Please examine this claim and let us know whether it can be made without much trouble, litigation or expense. If any further information from here is necessary let us know. Hoping to hear from you soon

We are Respectfully
Hallum & Miller

Names:

Bate, W. B., Gen.
Cabaniss,
Fowlkes, Joseph, Mr.
Fowlkes, Samuel

Garrett, Adeline,
Miss
Garth,
Hallum,

Miller,
Rogers, Benjamin,
Mr.

Shoulders, Margaret,
Mrs.
Ward,

Places:

Gallatin, TN

Types:

correspondence

Dates:

Feb 06, 1867



Names:

Cabiniss, S. D.

Types:

envelope

Guntersville Nov 28th 1872
Mr S D Cabaniss

Mr Sir At the term before last
we asked Judge Lusk a continuance of
the Nickles case until the second Monday
in next month which he granted on acct of your
absence R Nickles was present and was
satisfied for a time as his business needed
his attention and the distance was an object
to him we hope you will be here at the
next term of the court without fail as
R Nickles said he would be here also and
wished the case disposed of your Respcy
G. H. Moore

Names:

Cabaniss, S. D.
Gilbreath,

Lusk, Judge
Moore,

Nickles, R.

Places:

Guntersville, AL

Types:

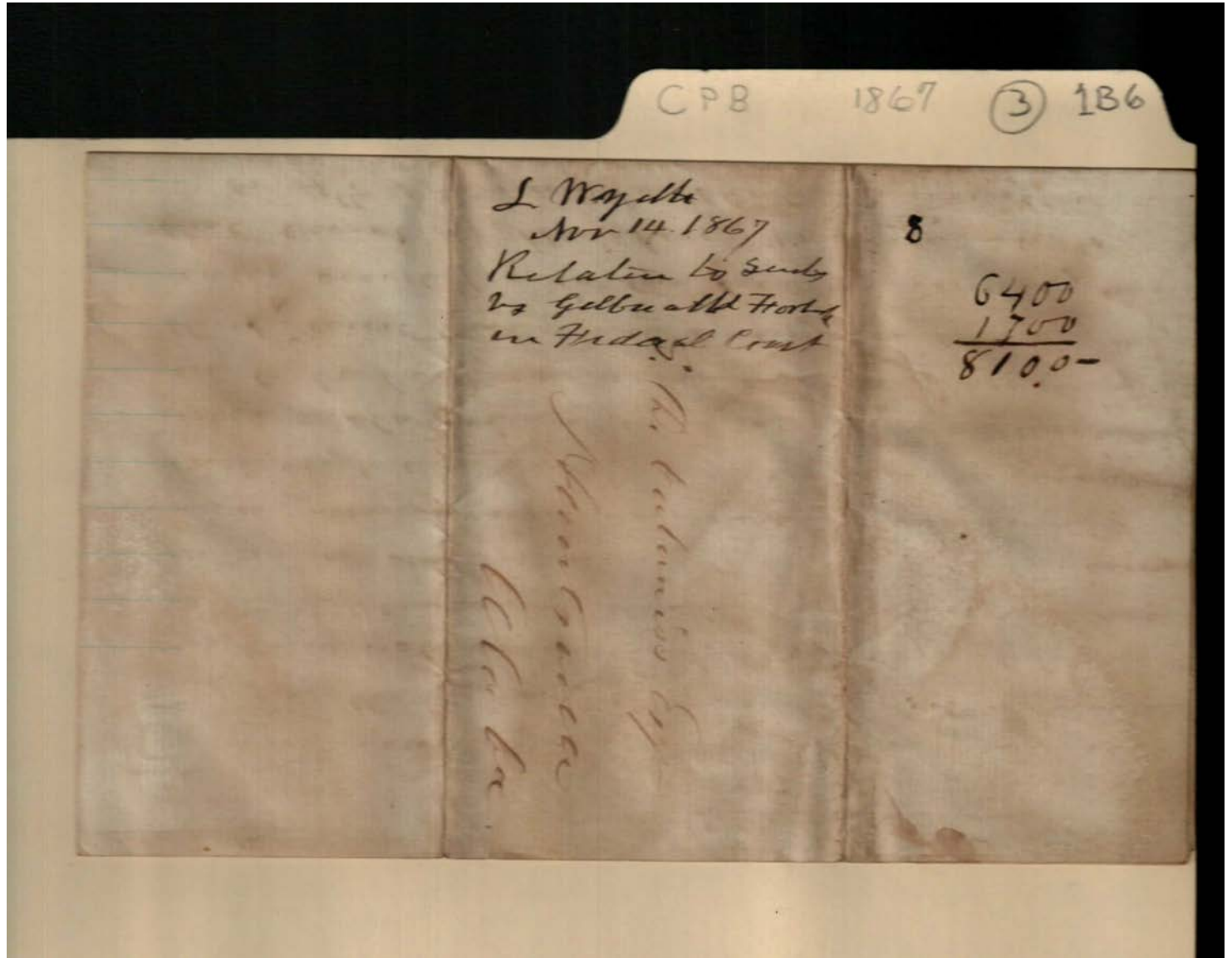
correspondence

Dates:

Nov 28, 1872

Greensville Nov 28th 1867
Mr J H Cabaniss

Mr Sir At the term before last
we asked Judge Cook a continuance of
the Nichols case until the second Monday
in next month which he granted on acct of your
absence R Nichols was present and was
satisfied for a time as his business needed
his attention and the distance was an object
to him we hope you will be here at the
next term of the court without fail as
R Nichols said he would be here also and
withal the case the passage of your Respon.
G. H. W. & M. W.



Names:

Gilbreath,

Wyeth, L.

Types:

memo

Dates:

Nov 14, 1867

Guntersville Ala
Nov 11/67

Dear Sir

I write you confined to my house & most of our time to bed by reason of an injury on horse. It is possible I am afraid probably, that I cannot get to ^{the U.S.} court at Guntersville.

Judge Gilbreath has just called to see me on some business which to him is important & presents some points of difficulty.

The whole partnership with Beckwith, the latter on Oct 18/66 gave two notes to a man named Mr. Marlborough of Nashville one for \$1250. at 60 days, and one for \$1278.44 at 5 m^{ths}. On these notes, Judge Gilbreath paid \$100 about Dec 22, 66 to one Mr. Leiber for which he has Marlborough's receipt and also paid \$100 to Mr. H. C. Brickell at our March Court '67 - or a little before that.

On the 25th March by mistake & without being told sent on these notes - one sent on each note, and the notes were presented upon Judge Gilbreath about April 67.

The partnership between Gilbreath & Beckwith was dissolved from 1/66. They were made as partners when they should have been sent as late partners, and this ought I think to be plead in a habeas corpus.

Now mark this - a few days ago Robinson

Names:

Brickell, Mr.

Frickel,

Gilbreath, Judge

Leiber, Mr.

Marlbrough, Mr.

Robinson,

Walker,

Places:

Guntersville, AL

Types:

correspondence

Dates:

Nov 14, 1867

CPB 1867 (3) 186

Walker being a suit against Perlsh & Gill with
on the notes pay^d to the master by the
suit is intended to be lost on the same
notes that Walker & Marshall sued on.
There are various descriptions of the
notes in the latter suit; this latter suit is
in the name of Mr. Leiber & Co, and I call
your particular attention to the various
between the notes described in the cases—
Now Judge Gilbreath suggests reasonably
enough, that it is probable that Marbury
& Leiber who are Brothers in law, or say
they are— have had a quarrel and both
claim the notes— Let this be as it may
he does not wish to have doubt to judge
against him for their benefit.
But what is he to do?
1st See the attys of the two claimants
and if possible get them to agree to dis-
settle between themselves the respective
rights of their clients.
2nd If this cannot be done— it seems
to me a bill of interpleader with a prayer
for an injunction should be presented.
But if a bill for the ultimate prop^{ty} of the
debt is made, for the same, to set the in-
junction then that course cannot be
pursued— because a bill of that kind cannot

Names:

Brickell,
Gilbreath, Judge

Leiber, M.
Marbury,

Masters, M.
Perlsh,

Walker,

Types:

correspondence

CPB 1867 (3) 186

to give you.

To the last case must be filed a plea of another action pending. This should be a special plea and drawn up with great care for in it would have to be recited the exact and unambiguous of the notes in the last writ & a suitable acknowledgment with a statement that said writ was intended to be lost on notes exactly reciting their^{se} and that their notes on the same notes sent for in the action pending in that Court of Marbury is same date.

or 4th It may be that the matter might properly be lost before the Court by a special motion - as both writs are in the same Court - and Courts have the common law right to compel parties before them to act properly in regard to their points as applicable to such a case I am not certain.

I shall write you another letter on other business I have in that H. B. Court - if I find it utterly impossible to do any other, I will probably know by Sept 10th & 11th for sure.

H. B. Wyeth

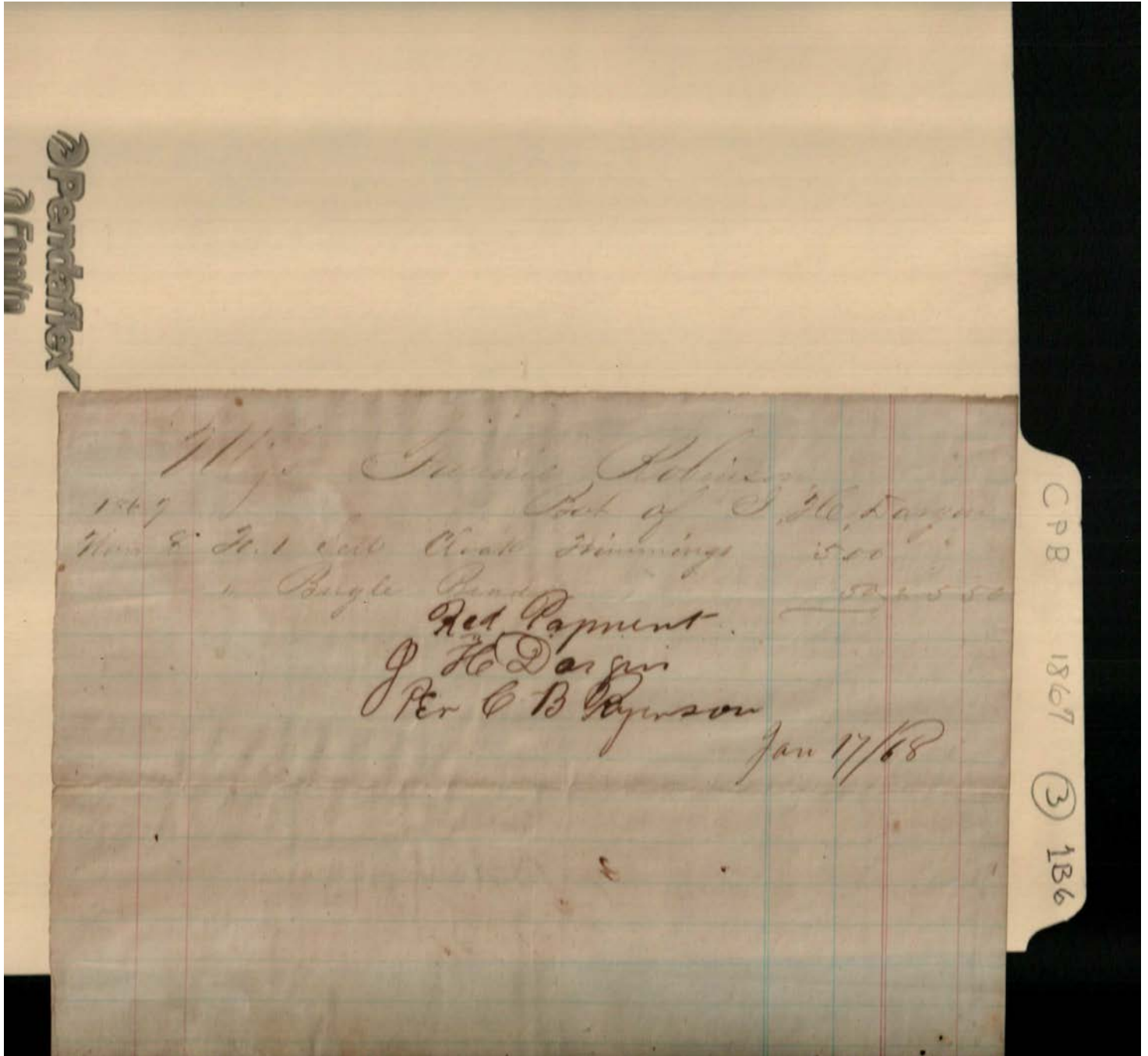
Names:

Marbury,

Wyeth,

Types:

correspondence



Names:

Dargin, J. H.

Robinson, Fannie

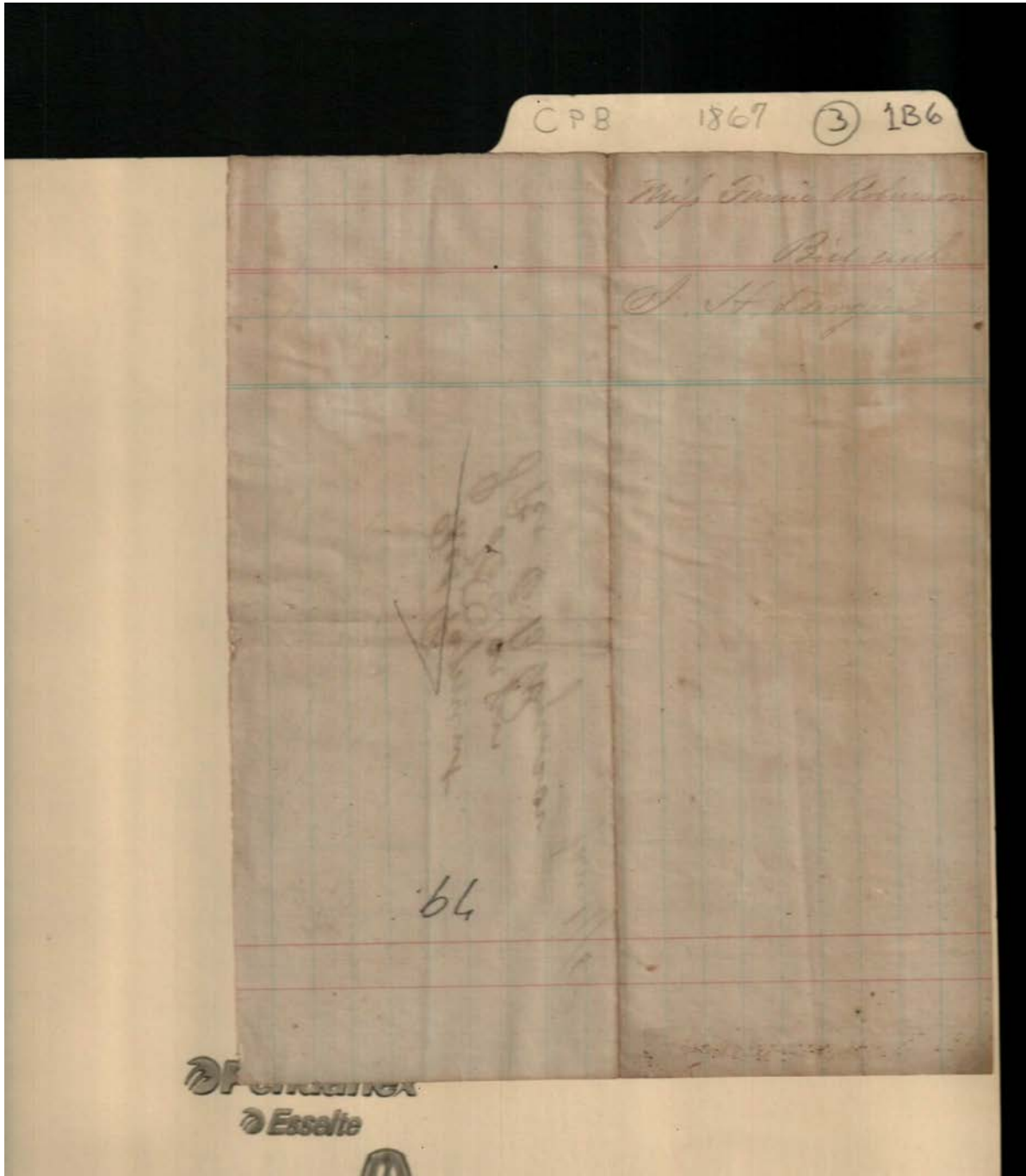
Ryerson, C. B.

Types:

memo

Dates:

Nov 08. 1867



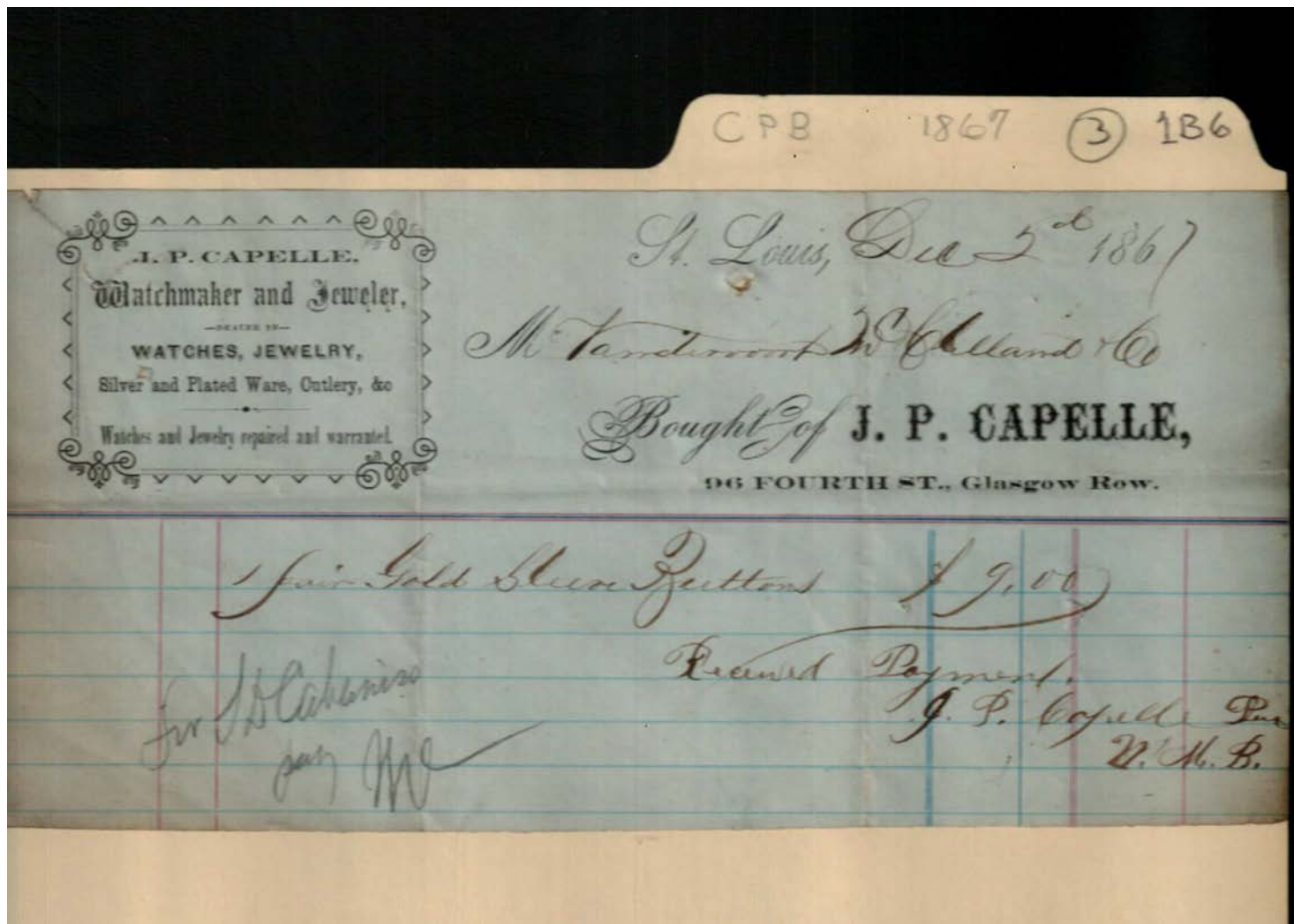
Names:

Dargin, J. H.

Robinson, Fannie,

Types:

memo



Names:

Cabiniss, S. D.
Capelle, J. P.

McClelland, M.
Vandervort

Places:

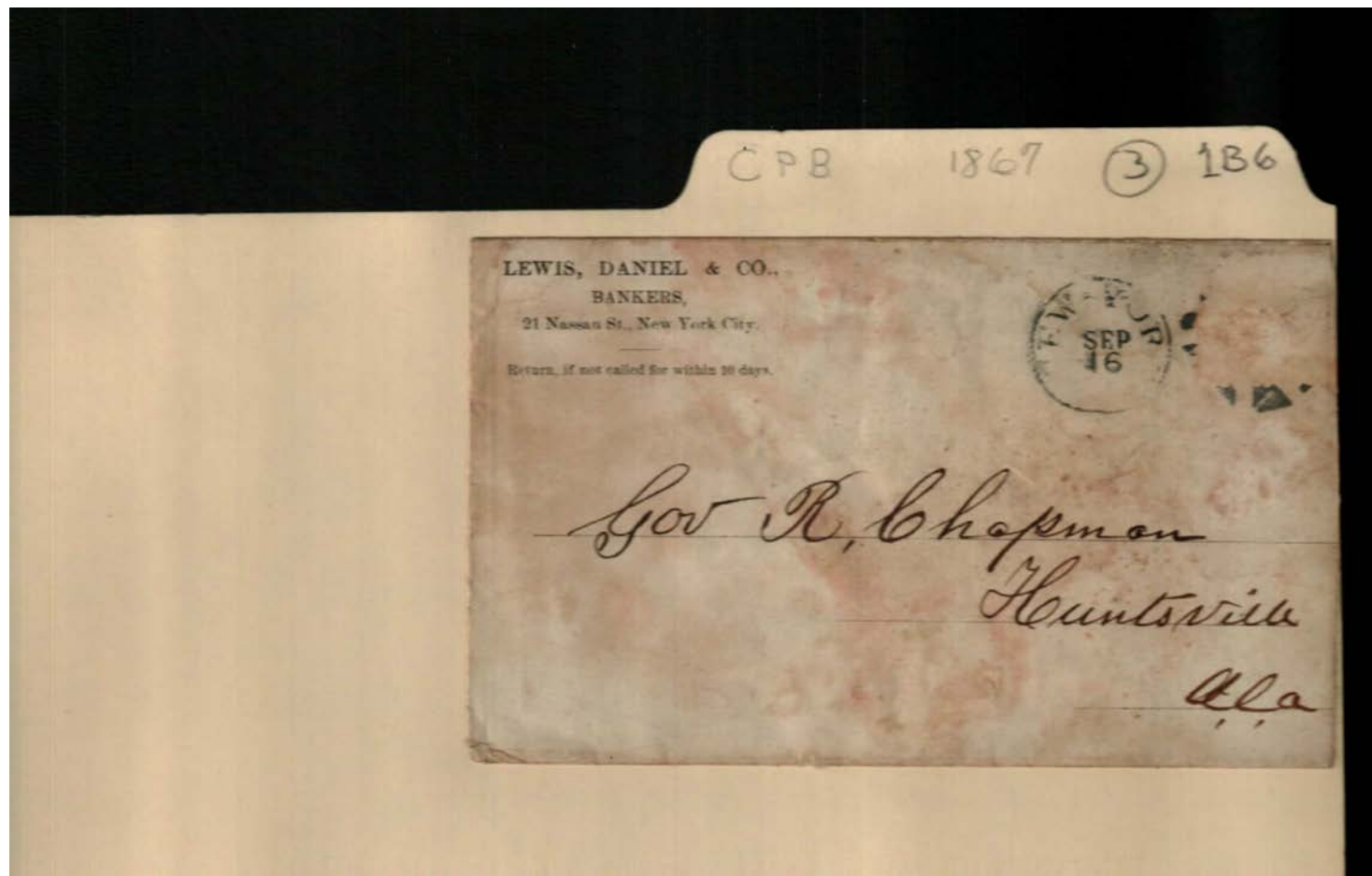
St. Louis, MO

Types:

receipt

Dates:

Dec 02, 1867



Names:

Chapman, Gov.

Daniel,

Lewis,

Places:

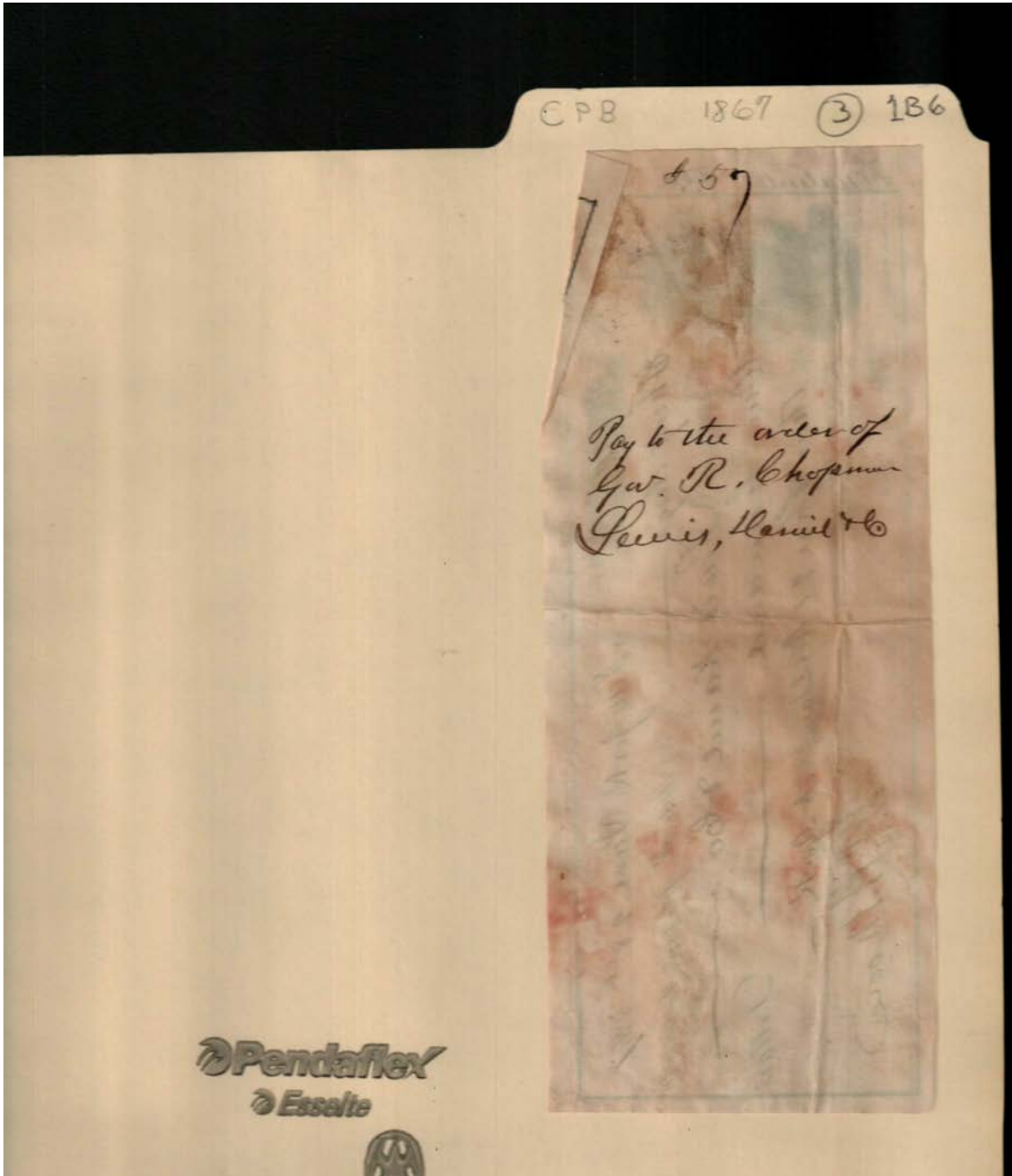
New York, NY

Types:

envelope

Dates:

Sep 16



Names:

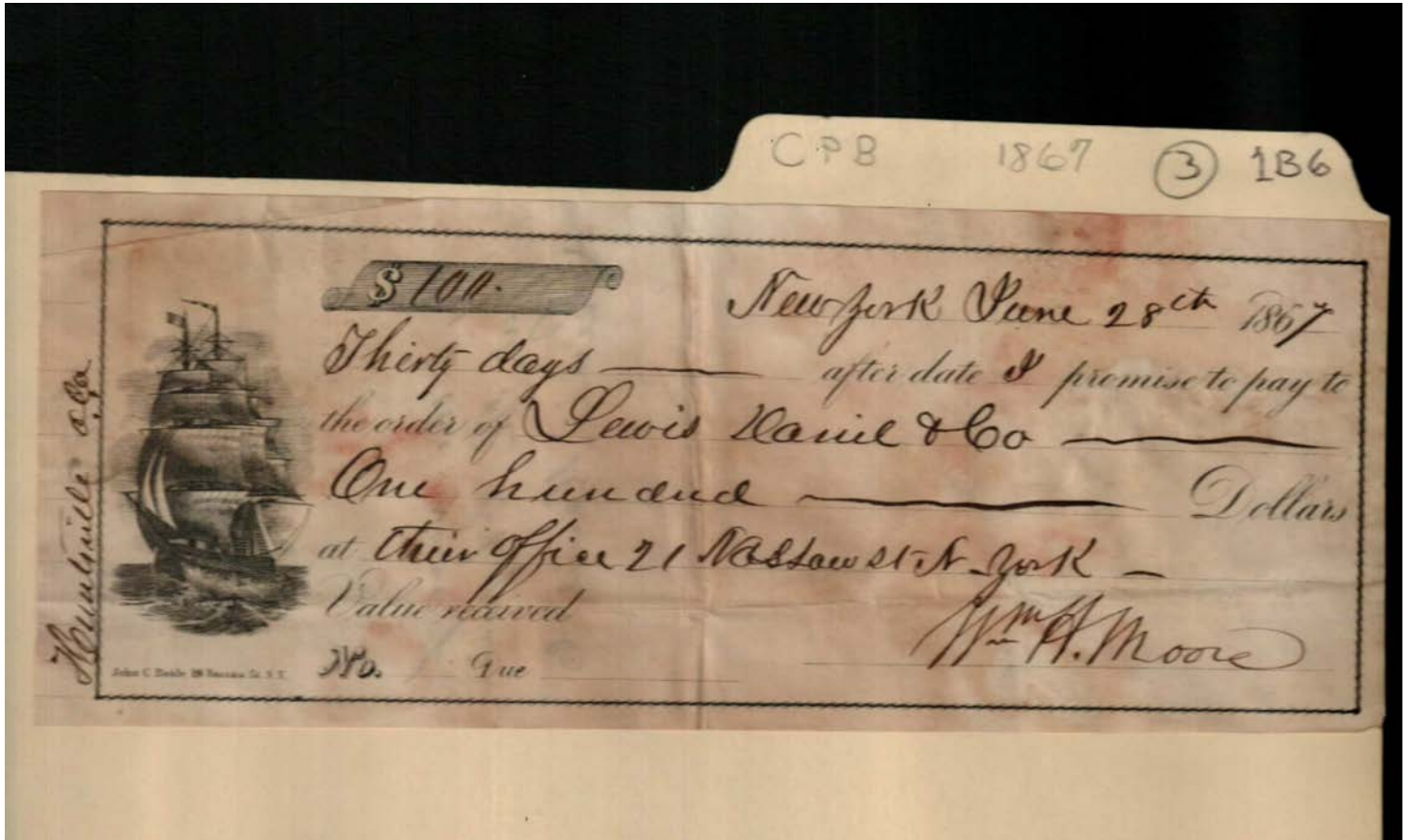
Chapman, R., Gov.

Daniel,

Lewis,

Types:

endorsement



Names:

Daniel,

Lewis,

Moore, William

Places:

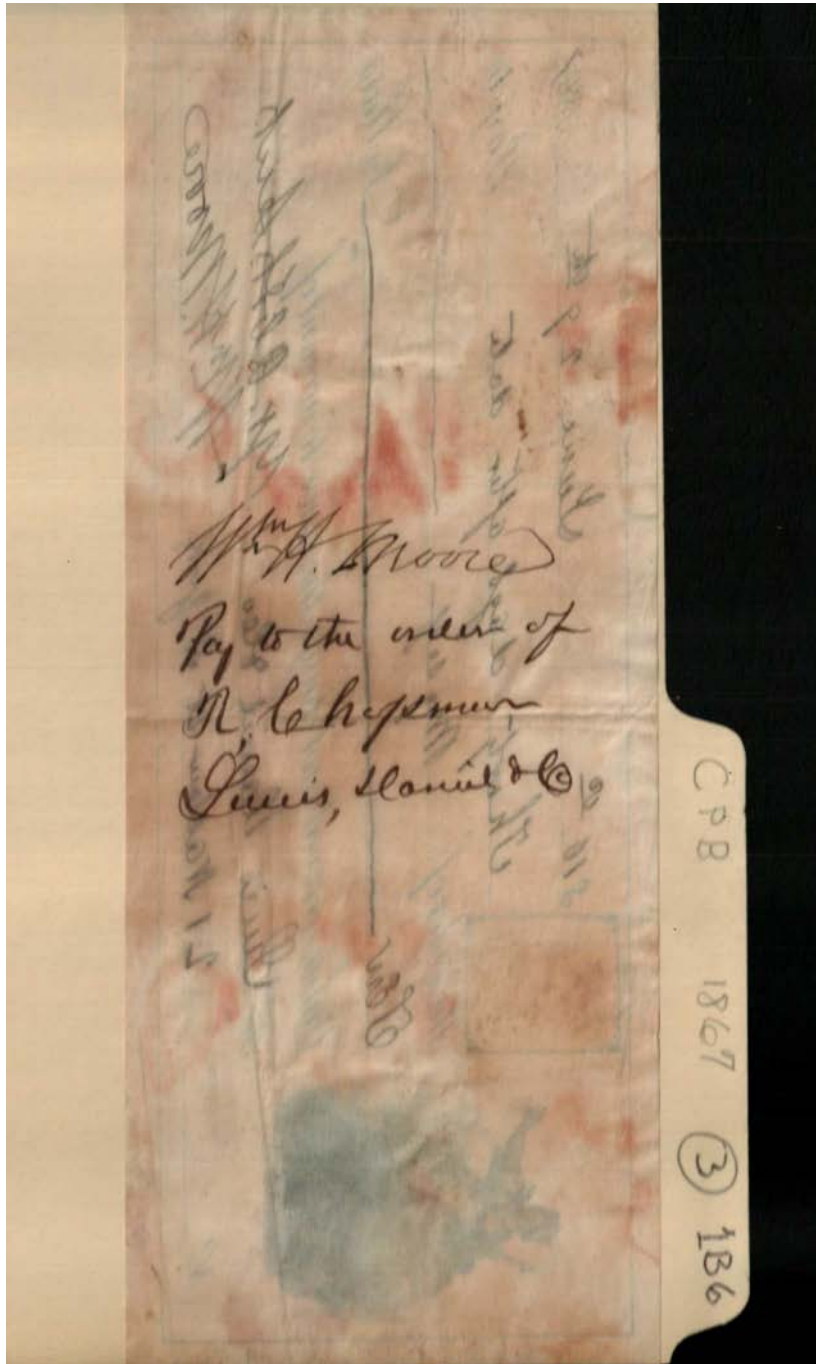
New York, NY

Types:

iou

Dates:

Jun 28, 1867



Names:

Chapman, R.

Daniel,

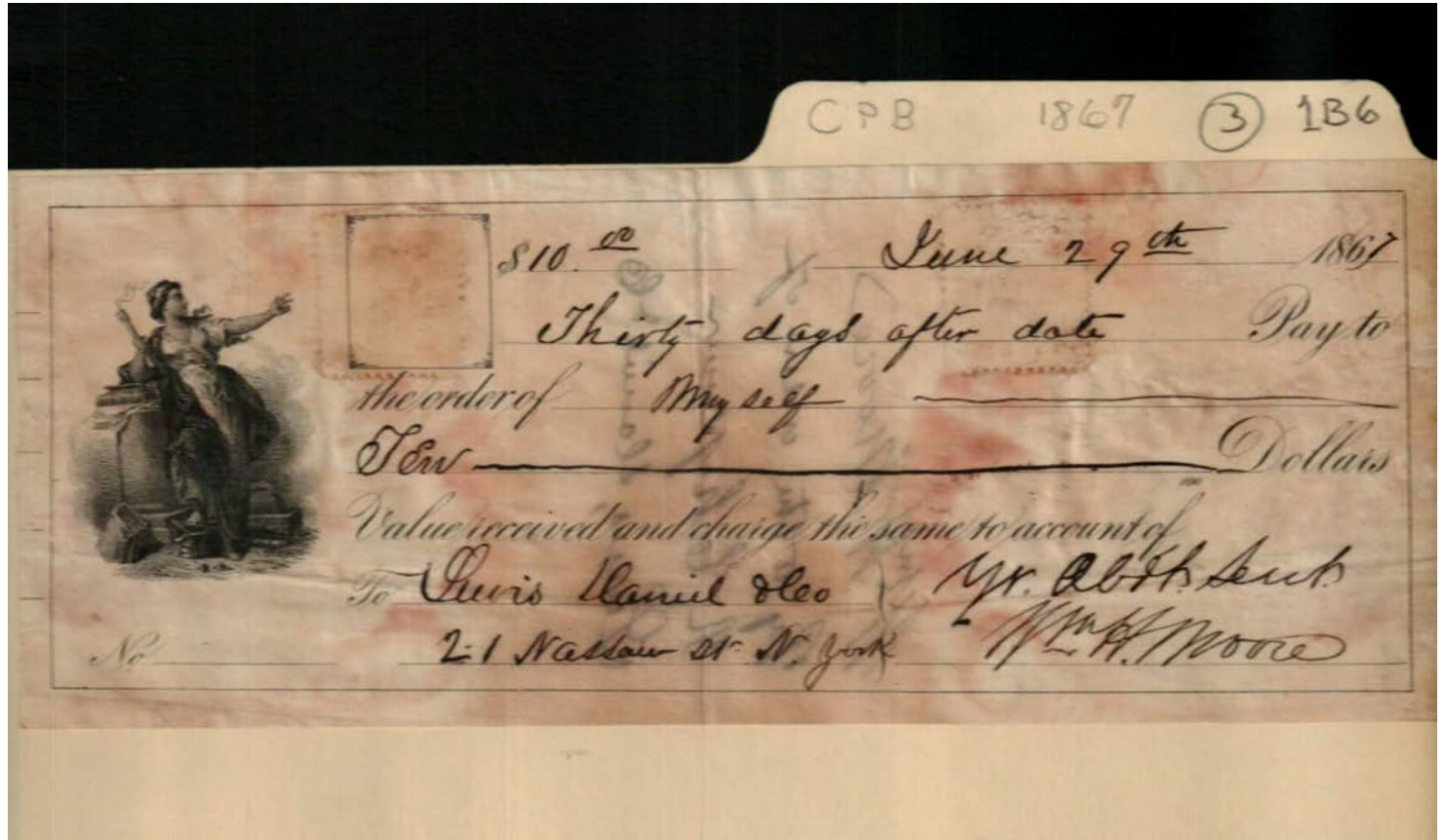
Lewis,

Moore, William H.

Types:

Memo

memo



Names:

Daniel,

Lewis,

Moore, William H.

Places:

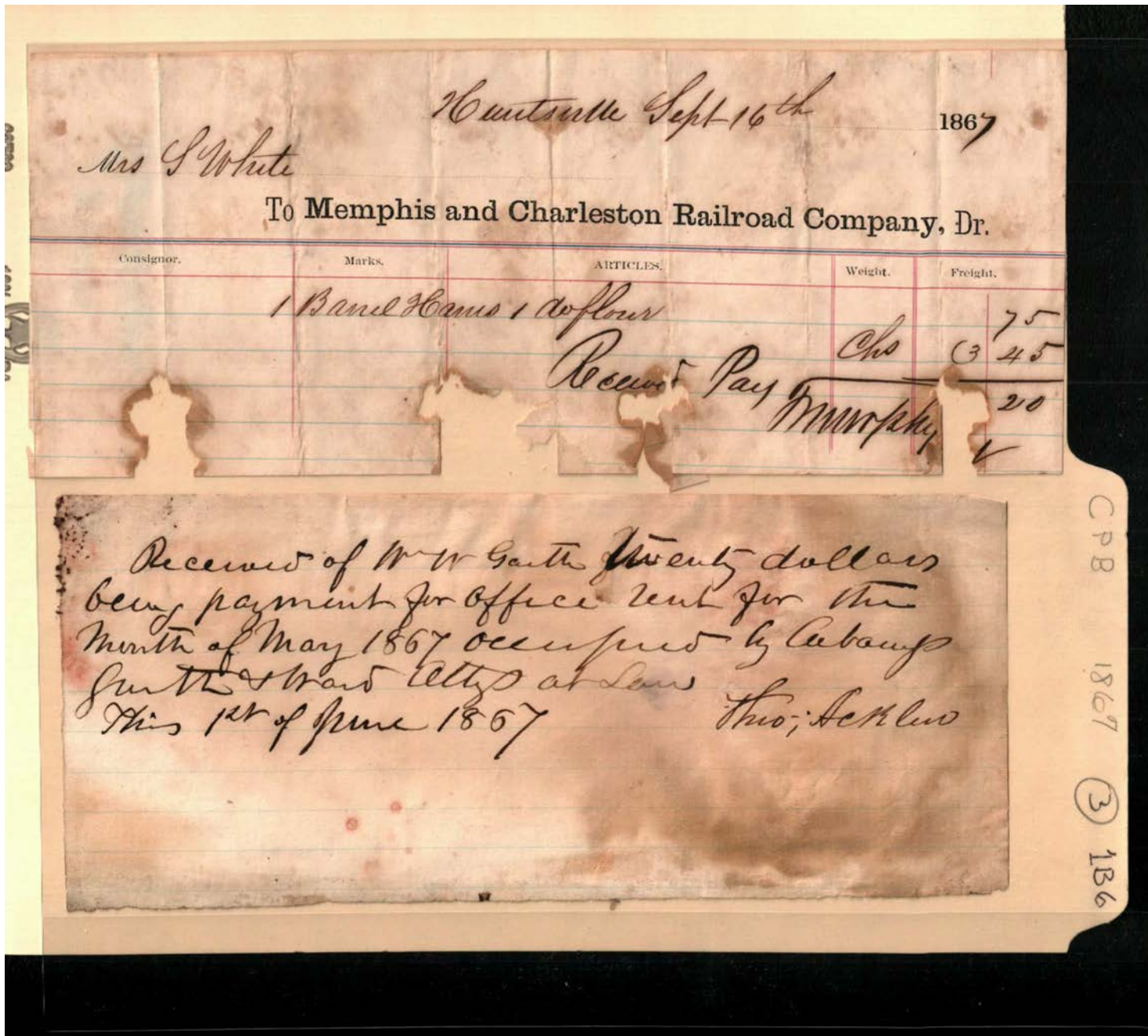
New York, NY

Types:

check

Dates:

Jun 29, 1867



Names:

Acklen, Theo
Cabaniss,

Garth,
Garth, W. W.

Murphy,
Ward,

White, S., Mrs

Places:

Huntsville, AL

Types:

receipt

Dates:

Jun 01, 1867

CPB 1867 (3) 100

1273.

John Grainball adm 9.

"

James H. Mastin

Answer of Reft

6

Motion of Deft.

Names:

Grainball, John

Mastin, James H.

Types:

memo

CPB 1867 (3) 186

In the Circuit Court of the United States
for the Southern District of Alabama
John Grinball adm^r
1275. "

James H. Mastin
Comes the plaintiff by attorney, and
for answer to the motion of the
defendant to dismiss the above entitled
cause because this court has no
jurisdiction thereof, says that it is
not true, as alleged in said motion,
that this suit is brought by the plaintiff
as executor of said bond sued on
in this action. But, on the contrary,
the plaintiff says that said bond
was assigned and transferred to him
as the administrator of the estate of
Catherine M., otherwise called Kate M.
Grinball deceased, by and pursuant to
a decree of this court of date April 10, 1862,
rendered in the cause of John Grinball
administrator of Catherine Grinball dec^d
et al vs John L. Rison administrator of
Catherine Grinball dec^d et al, numbered
113 on the Equity side of the docket of
this court; that said suit, in which
said decree was rendered, was instituted
and prosecuted by the plaintiff as the

Names:

Grinball, Catherine
M. (Kate)

Grinball, John
Mastin, James H.

Rison, John L.

Places:

Alabama

Types:

court record

CPB 1867 (3) 186

domiciliary administrator of the estate of
said Catharine M., otherwise called
Kate M., Grinball decd, against said
Rison as ancillary administrator of
said estate, for recovery of said bond
and other uncollected choses in action
and debts of said estate; that the plaintiff
was then, and is now, administrator of
the estate of said Catharine M., otherwise
called Kate M., Grinball decd by grant
of letters of administration of the goods
chattels and credits of said decedent issued
to him by the Surrogate of the county of
New York in the State of New York on the
14th day of September 1877; and that said
Catharine M., otherwise called Kate M.,
Grinball deced was at or immediately
previous to her death an inhabitant of
said county of New York.

Names:

Grinball, Catherine
M. (Kate)

Rison,

Places:

Alabama

Types:

court record

CPB 1867 (3) 186

855555 Huntsville Alabama July 4th 1853

On the first day of January eighteen hundred and fifty six (1856) we or either of us promise to pay Stephen S Ewing & George P Bierne Executors of the will of David Moore the sum of five thousand dollars with interest thereon at the rate of eight per cent per annum from this day (4th July 1853) payable annually. Value received. Witness our hands and seals the day and date above.

Michael Erskine (seal)
Alex^r Erskine (seal)
James J Donegan (seal)

July 4. 1854 Rec^d of Oliver Bierne of Monroe Co Va four hundred dollars on account of interest on the within.

March 7. 1857 Rec^d of Alex Erskine eight hundred and sixty four ⁰⁰/₁₀₀ dollars on account of interest on the within.

Rec^d of A. N. Erskine through the hands of J. H. Mastin Seven hundred and sixty seven ⁰⁰/₁₀₀ dollars on ac^t of interest on the within bond August 10th 1855 \$767.⁰⁰

Names:

Bierne, George P.
Bierne, Oliver
Donegan, James J.

Erskine, A. N.
Erskine, Alexander
Erskine, Michael

Ewing, Stephen S.
Mastin, J. H.
Moore, David

Places:

Huntsville, AL

Types:

Receipt

iou

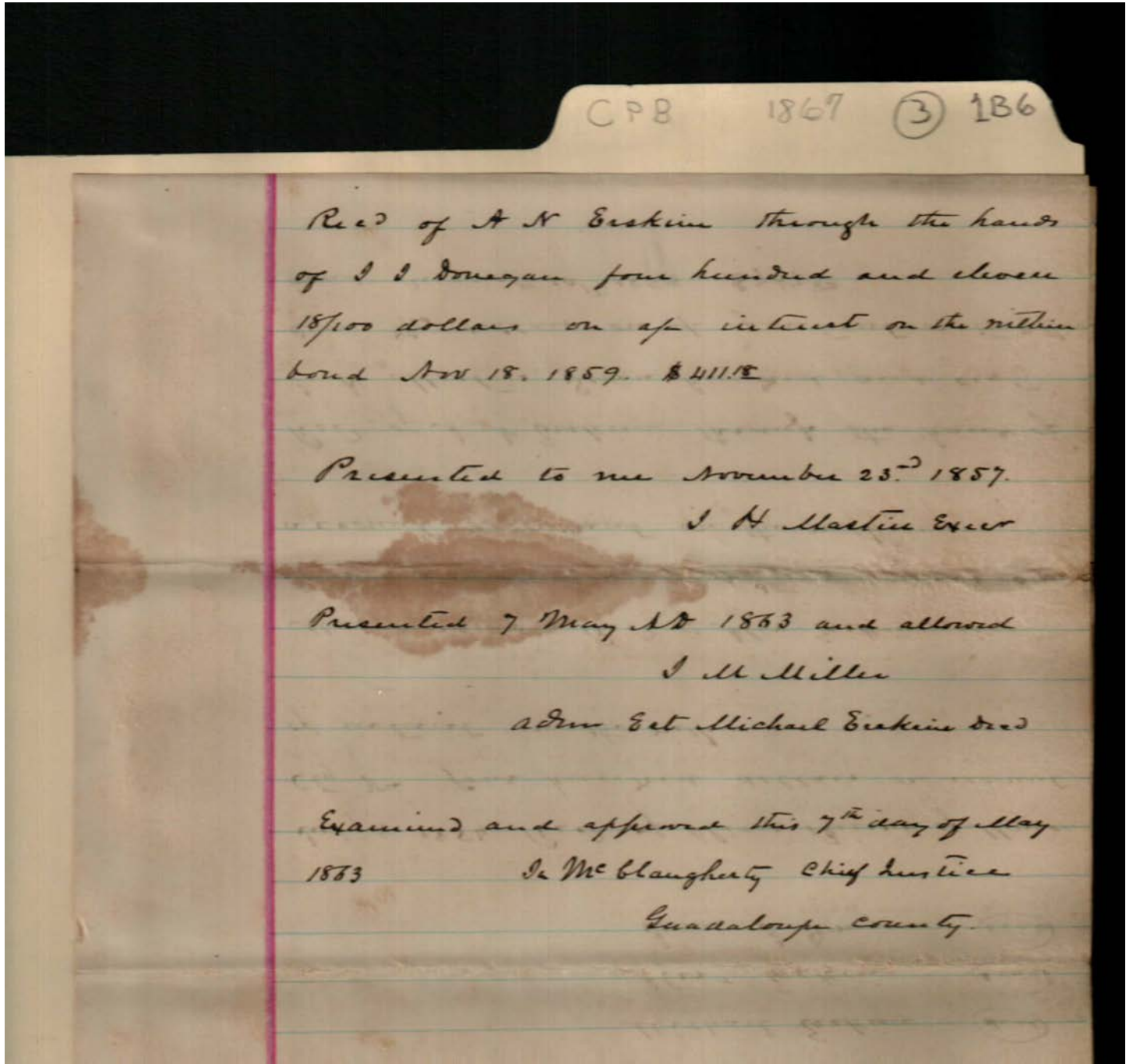
receipt

Dates:

Aug 10, 1855

Jul 04, 1853

Mar 07, 1857



Names:

Donegan, J. J.
Erskine, A. N.

Erskine, Michael
Mastin, J. H.

McGlaugherty, James
Miller, J. M.

Types:

receipt

Dates:

May 07, 1863

Nov 18, 1859

Nov 25, 1859

CPB 1867 (3) 186

In the circuit court of the United States for the
Northern District of Alabama
John Grinball adm^r of
Catherine M. Grinball De^d plaintiff
1278 vs
James H. Mastin defendant

The plaintiff, John Grinball, as
Administrator of the estate of Catherine M.
(otherwise called Kate M.) Grinball deceased
who is a citizen of the State of New York, claims
of the defendant James H. Mastin, who is a
citizen of the State of Alabama residing in the
Northern District thereof. The sum of Eight thou-
sand three hundred and sixty nine dollars due
by bond executed by James J. Donagan (who is
dead and not sued in this action) and the defendant
on April 18th 1867 payable one day after the date
thereof, with interest due thereon. Said bond is
of the estate of said Catherine M. (otherwise
called Kate M.) Grinball deceased in the hands
of the plaintiff, as administrator thereof, for collec-
tion and administration. Said bond with the
endorsement thereon is in words and figures as
follows viz:

" \$8369⁰⁰ Huntsville Ala April 18th 1867.
" One day after date we promise to pay R. W. Walker
" Trustee of Catherine Moore the sum of eight
" thousand three hundred and sixty nine dollars (\$8369⁰⁰)

Names:

Donegan, James J.

Grinball, Catherine
M. (Kate)

Grinball, John
Mastin, James H.

Moore, Catherine
Walker, R. W.

Places:

Alabama

Types:

court record

CPB 1867 (3) 186

with interest thereon from date at the rate of eight per cent per annum payable annually, for value received as witness our hands and seals the day and date above.

James J. Donegan (seal)

(Stamps) style="text-align: right;">J. H. Mastin (seal)."

(Endorse) "Rec^d of J. J. Donegan nine hundred & five^{ty} dollars (\$905.⁷²) being one half of interest to day 1/70 R. W. Walker Trustee."

"Rec^d of J. J. Donegan on the within bond seven hundred and fifty five dollars (\$755) Jan'y 1/71. R. W. Walker Trustee."

"Rec^d Sept 27/73 of J. H. Mastin five hundred dollars (\$500) on the within bond & rec^t given. R. W. Walker Trustee."

"Rec^d Decem^r 6. 1875 of J. H. Mastin one thousand dollars on the within bond and separate receipt given therefor. S. R. Cruse Trustee."

"B. 150. Rec^d April 2. 1877 of J. H. Mastin one hundred and fifty dollars on the within."

"I hereby assign and transfer the within bond (with all mortgages & securities accompanying the same) to John Grimball without recourse on me March 25. 1882. John L. Rison admsr Catharine M. Grimball dec^d."

Said bond was assigned and transferred to the plaintiff as domiciliary administrator of the estate of Catharine M. (otherwise called Kate M.) Grimball deceased, by decree of this court of date April 10. 1882 entered in the cause

Names:

Cruse, S. R.
Donegan, James J.

Grimball, John
Mastin, J. H.

Rison, John L.
Walker, R. W.

Places:

Alabama

Types:

court record

CPB 1867 (3) 186

of John Grinball admr of Catherine Grinball deceased et al vs John L Rison admr of Catherine Grinball deceased et al, numbered 113 on the right side of the docket of this court.

On the death of said R. W. Walker Samuel R. Cruse was duly appointed his executor as Trustee of the estate of said Catherine Moore. Said Catherine Moore intermarried with the plaintiff, acquired a domicile in the county and state of New York, and died intestate being at the time of her death an inhabitant of said county and state of New York. The plaintiff was duly appointed administrator of the estate of said Catherine (also and by the name of Kate M. Grinball) and proper letters of administration duly issued to him as such administrator by the Surrogate of said county of New York on Sept. 14. 1877. Said John L. Rison was duly appointed as administrator of the estate of said Catherine by the Probate court of Madison county, Alabama on Dec. 27. 1877. Said Catherine not being an inhabitant of the state of Alabama and dying out of said county of Madison leaving apite thereon. Said bond was surrendered and delivered by said Cruse to said Rison as administrator of said Catherine M. Grinball and in the state of Alabama.

On April 18. 1881 the plaintiff as domiciliary of said estate and individually as sole distributee

Names:

Cruse, Samuel R.

Grinball, Catherine
M. (Kate)

Grinball, John
Moore, Catherine

Rison, John L.
Walker, R. W.

Places:

Alabama

Types:

court record

CPB 1867 (3) 186

Therap. filed his bill on the equity side of the court
in this court against said John L. Rison as an ad-
ministrator Therap. in the state of Alabama
and others to enforce said bond and other choses
in action and assets of said estate, on the ground
that there was debt credits or distributions of said
estate in the state of Alabama and some debts
credits and distributions of it in the state of
New York. Said Rison as administrator as afore-
said filed his demurrer to said bill on August
1. 1881, which was overruled on October 22. 1881.
Said Rison as such administrator filed his
answer on October 24. 1882 admitting that the
assets of said estate in his hands were more
than sufficient to pay the debts and expenses
of administration Therap. and embracing said
bond in the schedule of assets. And on
April 10. 1882 a decree was rendered by this
court in the cause in favor of the plaintiff
for recovery of said assets including said bond,
uniting that the said John L. Rison as admin-
istrator, of said Catherine, in Alabama, had
already paid and handed over to said John
Grinball as said administrator in New York
all the said assets, and ratifying such transfer
and surrender in delivery.

D. P. Grinball atty for pliff
R. E. Brickell and F. P. Ward atty's
for pliff.

Account of Complaint

Names:

Brickell, R. E.
Catherine,

Grinball,
Rison, John L.

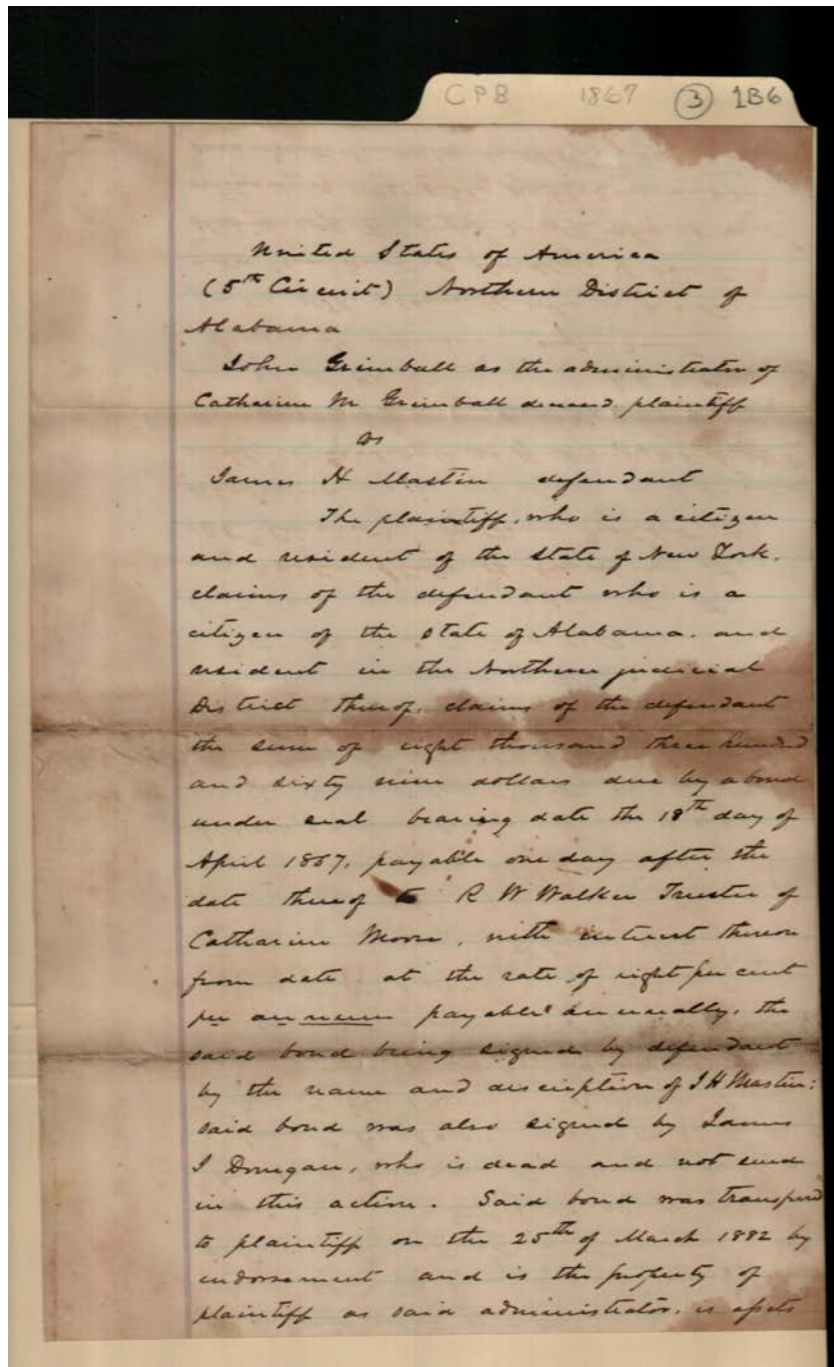
Ward, F. P.

Places:

Alabama

Types:

court record



Names:

Donegan, James J.

Grinball, Catherine
M. (Kate)

Mastin, James H.
Moore, Catherine

Walker, R. W.

Places:

Alabama

Types:

court record

CPB 1867 (3) 186

of the said estate of Catharine M Grinball,
which plaintiff desires to recover in this
action with interest on the same.

D. P. Lewis atty for plaintiff

on said bond are the following credits (15)

Jan'y 1 st 1870	\$905.75	R W Walker Trustee
Jan'y 1 st 1871	\$ 755.00	R W Walker Trustee
Sept 27 1873	\$ 500.00	R W Walker Trustee
Decemb. 1875	\$ 1000.00	J R Cress Trustee
April 2 ^d 1879	\$ 150.00	J R Cress Trustee

D P Lewis atty.

Huntsville Ala July 15. 1882.

I hereby acknowledge service of a writ
in the Circuit Court of the United States
for the Northern District of Alabama
the complaint of which is hereto attached
annexed in favor of John Grinball
as the administrator of Catharine M
Grinball demand against the
undersigned. Waive a copy of the
summons &c on the same: the said
service being as effectual as if perfected
by the Marshall as of this date: waiving
the deposit until this paper is filed
in said Court. J. H. Mastin

United States of America }
Northern District of Alabama }

J. A. W. McCullough clerk of the Circuit Court
of the United States of America in and for
said District as hereby certify that the

Names:

Grinball, Catherine
M.

Grinball, John
Mastin, J. H.

McCullough, A. W.

Places:

Alabama

Types:

court record

CPB 1867 (3) 186

above and foregoing is a true full and complete copy of the complaint filed in the case of John Grinball adm^r of Catherine M Grinball vs James H Mastin with the endorsements thereon as fully as the same appears of record in my office.

In testimony whereof I have hereunto subscribed my name and affixed the seal of said court: at office in the City of Huntsville in said District this 20 day of October A^d 1882. A W McCullough
Clerk of US Circuit Court.

Filed in Clerk's office October 7th 1882.
A W McCullough Clerk.

Circuit Court of the United States, Southern District of Alabama.

John Grinball adm^r of Kate Grinball adm^r
vs
James H Mastin

The defendant pleads in short by consent
1st The General Issue.
2nd That he is the surety of said James J Donegan upon said bond, and that he executed the same as the surety of said Donegan & without any other consideration whatever: and defendant avers that afterwards when said bond had become due & payable the then holder & owner of said bond upon a new and valuable consideration to him arising from said Donegan did grant to the said Donegan day of payment and

Names:

Donegan, James J.

Grainball, John

Grinball, Catherine

M.

Grinball, Kate

Mastin, James H.

McCullough, A. W.

Places:

Alabama

Types:

court record

CPB 1867 (3) 186

did extend the time for and postpone
the collection of said bond in considera-
tion thereof and did agree not to sue said
Donegan thereon for a definite period in
further consideration thereof, without the
knowledge & consent of this defendant &
without this defendant agreeing not to
be discharged thereby, and to waive his
right as surety of said Donegan to plead
his discharge by said extension & indulgence.

3rd Defendant cravesoyer of plaintiffs
letters of administration & pleads that plain-
tiffs said letters are null & void.

L^d Walker and
Humes Gordon & Sheffey
attys for Deft.

Filed in the Clerk's office Oct 30. 1883.
A. W. McCullough Clerk.

Names:

Donegan,
Gordon,

Humes,
Sheffey,

Walker, L. P.

Places:

Alabama

Types:

court record

CPB 1867 (3) 1B6

Huntsville Hotel
Lang 2nd/67 -
S. D. Cabaniss Esq -

Dear Sir
will you, if not too in conven-
ient call at this house this
evening - I have just arrived
am very eager and desirous to
see you this evening although
business relative to the claim
against Gunter's estate
would call up, but am
exceedingly eager -

Yours &c
R. K. Boyd

Names:

Boyd, R. K.

Cabaniss, S. D.

Gunter,

Places:

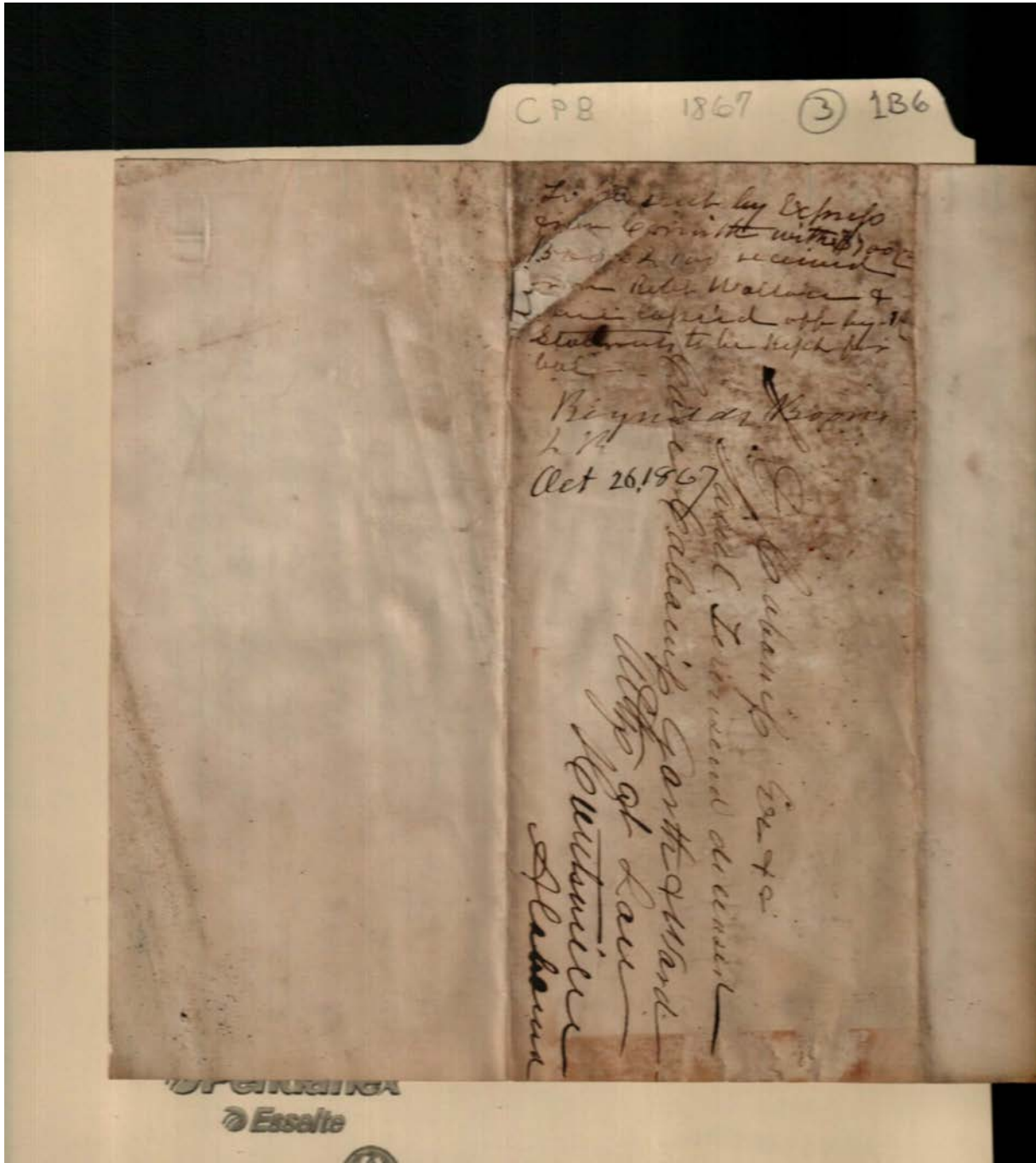
Huntsville, AL

Types:

correspondence

Dates:

Jan 2, 1867



Names:

Boone,
Cabiniss,

Cabiniss, S. D.
Garth,

Reynolds,
Townsend, Samuel

Wallace, Robert
Ward,

Places:

Huntsville, AL

Types:

envelope

Dates:

Oct 26, 1867

CPB 1867 (3) 186

Jacinto Miss (Oct 26th 1867)

S. J. Cabaniss

Dear Sir

I made out statements
and paid off the cost of your case &
that of Camp against David Wade for
last week and write you a letter
to accompany the cash in both cases
and give the proper directions with
the view of sending immediately
and called on the wife of my sister
Col Boone (he being absent) for the
funds and she knew nothing of them
The money was paid over in two
installments - the first to myself and
the second to Col Boone each taking
charge and care of the amount paid
to him. He speaking of it not long
since it understood him to say the
money was at home but neither
his wife nor myself can find
it. He is off in town but will

Names:

Boone, Col.

Cabaniss, S. D.

Wade, David

Places:

Jacinto, MS

Types:

correspondence

Dates:

Oct 26, 1867

CPB 1867 (3) 1B6

be at home next week, if I had
had the funds of my own I should
have sent you the money,
I will be in Leovith next Monday
and will send you this letter &
seven hundred dollars from -
them which covers what is in
my hands. Will send the letter
as soon as it can be found -
and that doubtless will not
be before Col. Boone's return
I regret the disappoinment
and would have sent you the
\$700 as last week but was un-
well and did not want to
make the trip solely for that pur-
pose without being able to send all
I hope you will not be seriously
injured by the delay and
that I will be able to send
you the balance soon
Please acknowledge receipt
Hoy
Reynolds, B. Reynolds
J. P. Reynolds

Names:

Boone, Col.

Reynolds,

Reynolds, L. P.

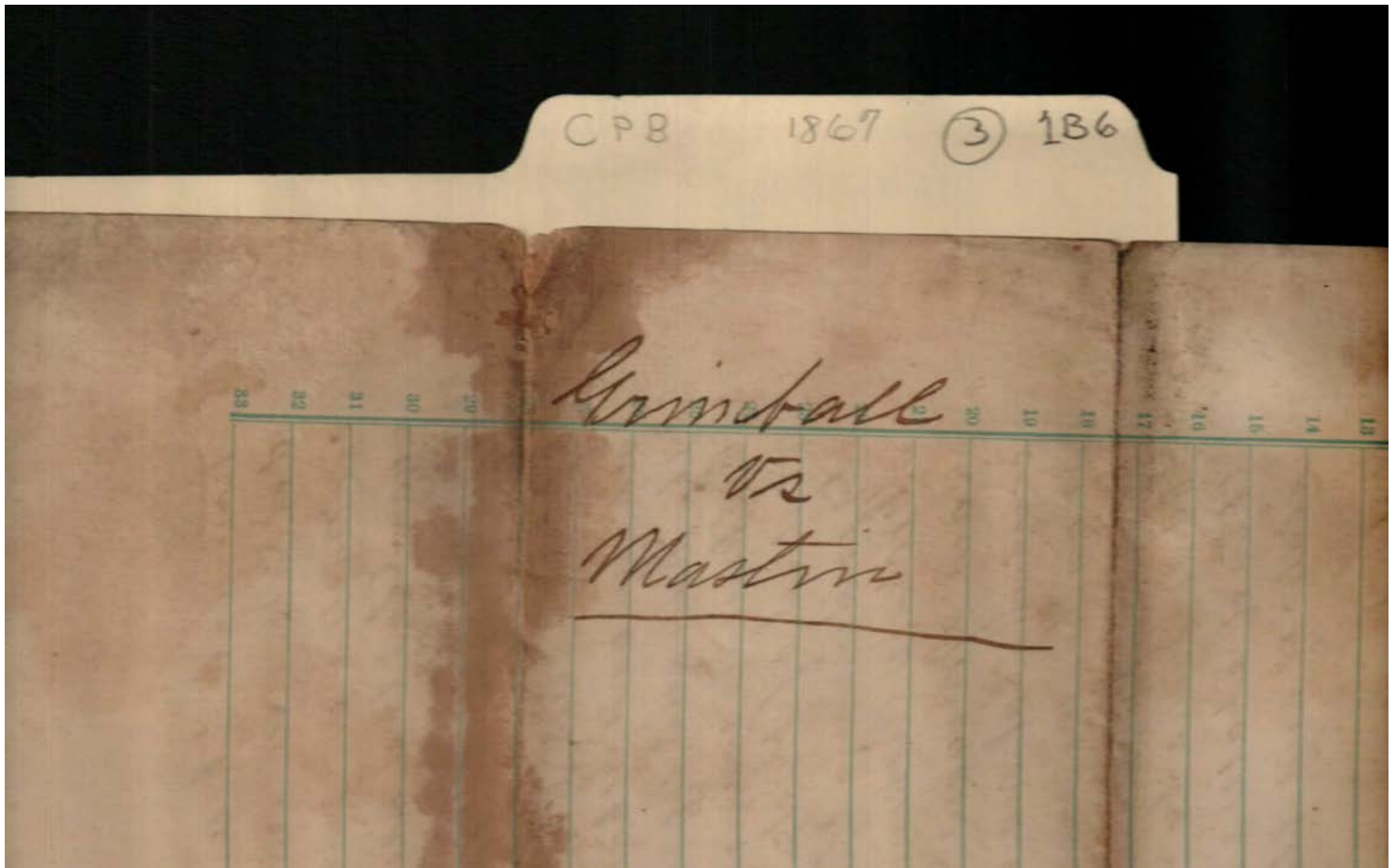
Types:

correspondence

Frances Cabaniss Roberts Collection: Series 1, Subseries B, Box 6, Folder 3

Legal and court documents, 1867

Image 130 r01b06-03-000-0130 [Contents](#) [Index](#) [About](#)



Names:

Grimball,

Mastin,

Types:

memo

CPB 1867 (3) 186

Estate of Alexander Erskine deceased
To James & Mastin

1867
April 18 To this amount of liability against
said estate disbursed by said James &
Mastin on his individual account to James
& Donegan & Co surety with said Alex
ander Erskine on bond of Michael Erskine
for \$1000, with interest from its date pay
able annually dated July 1 1858 due
January 1866 & held by R W Walker
trustee (& successor of Charles H Patton
decd trustee) of Catherine Moore and on
July 1 claimed in statement below \$4184.00
To interest on same from April 1 1867 &

The State of Alabama, James & Mastin
Madison County states that at the time
of the death of his testator Alexander Erskine
decd, the said testator and James &
Donegan of Huntsville Ala were liable as
co-sureties for the payment of the bond
discussed in the above account the same
being held by Charles H Patton as trustee
of Catherine Moore and payable in its face
to the executor of David Moore decd who
was the father of said Catherine and which
on the 23rd Nov 1867 was presented to him
the said Mastin as executor of said Alexander
for payment. That said Patton having de-
parted this life in 1866 said Walker suc-
ceeded him in said trust prior to April

Names:

Donegan, James J.
Erskine, Alexander

Erskine, Michael
Mastin, James H.

Moore, Catherine
Moore, David

Patton, Charles H.
Walker, R. W.

Types:

estate document

Dates:

Apr 18. 1867

CPB 1867 (3) 186

18. 1867. That said Michael Erskine at the date of said note or bond was a resident citizen of the State of Texas, and so continued until his death which occurred prior to March 25. 1863. That at or about the date of said bond the said Michael executed a mortgage or deed of trust upon certain lands in Texas to indemnify his said estate against their liability for him on said bond.

That prior to the 18th April 1867 the following payments had been made and credited on said bond to-wit: 1867 July 4 \$400.00 Aug 10 1868 \$762.50 1859 Nov 18. \$411.18

That on the 18th April 1867 the said Michael Erskine's estate being in Texas and involved, the said James Donegan discharged & satisfied said bond, which was entered at that date amounted to Eight thousand three hundred and forty nine dollars (\$8369.00) and took the receipt of said Walker as trustee of that date acknowledging the receipt of that sum in payment & satisfaction of said bond & transferring the same to said Donegan, & that the estate of said Alexander being liable for one half of said sum, but not having the money to pay the same, to the said Mastin by an agreement with said Donegan and in discharge of the liability of the estate of said Erskine assumed the payment of one half of said sum of Eight

Names:

, Alexander
Donegan, James J.

Erskine, Michael
Mastin,

Walker,

Types:

estate document

CPB 1867 (3) 186

thousand three hundred and sixty seven
dollars and in his individual capacity
contracted a joint debt with said Donegan
for that sum (\$3367.00) to pass said
bond.

That a suit is being prosecuted in the State
of Texas and County of Tarrant in the
name and behalf of said Donegan against
the heirs and representatives of said Michael
Erskine to enforce the aforesaid mortgage
or deed of trust, executed as aforesaid for
the indemnity of the sureties of the said
Michael Erskine on said bond and the
said Donegan has agreed with said ex-
ecutors, that one half of the amount which
may be recovered by said suit less one half
of the expenses which have been or may
be recovered by him in the prosecution
thereof shall inure to the benefit of the
estate of said Alvaudo Erskine.

J. H. Mastin

The State of Alabama, James Donegan
Madison County, being sworn states
on oath that he has read the foregoing
statement subscribed by James H. Mastin
and that the facts therein stated are true
James Donegan
for me this 14th day of
November A.D. 1873

Joseph Mastin
Notary Public

Names:

Donegan,
Donegan, James J.

Erskine, Michael
Martin, Joseph

Mastin, James H.

Places:

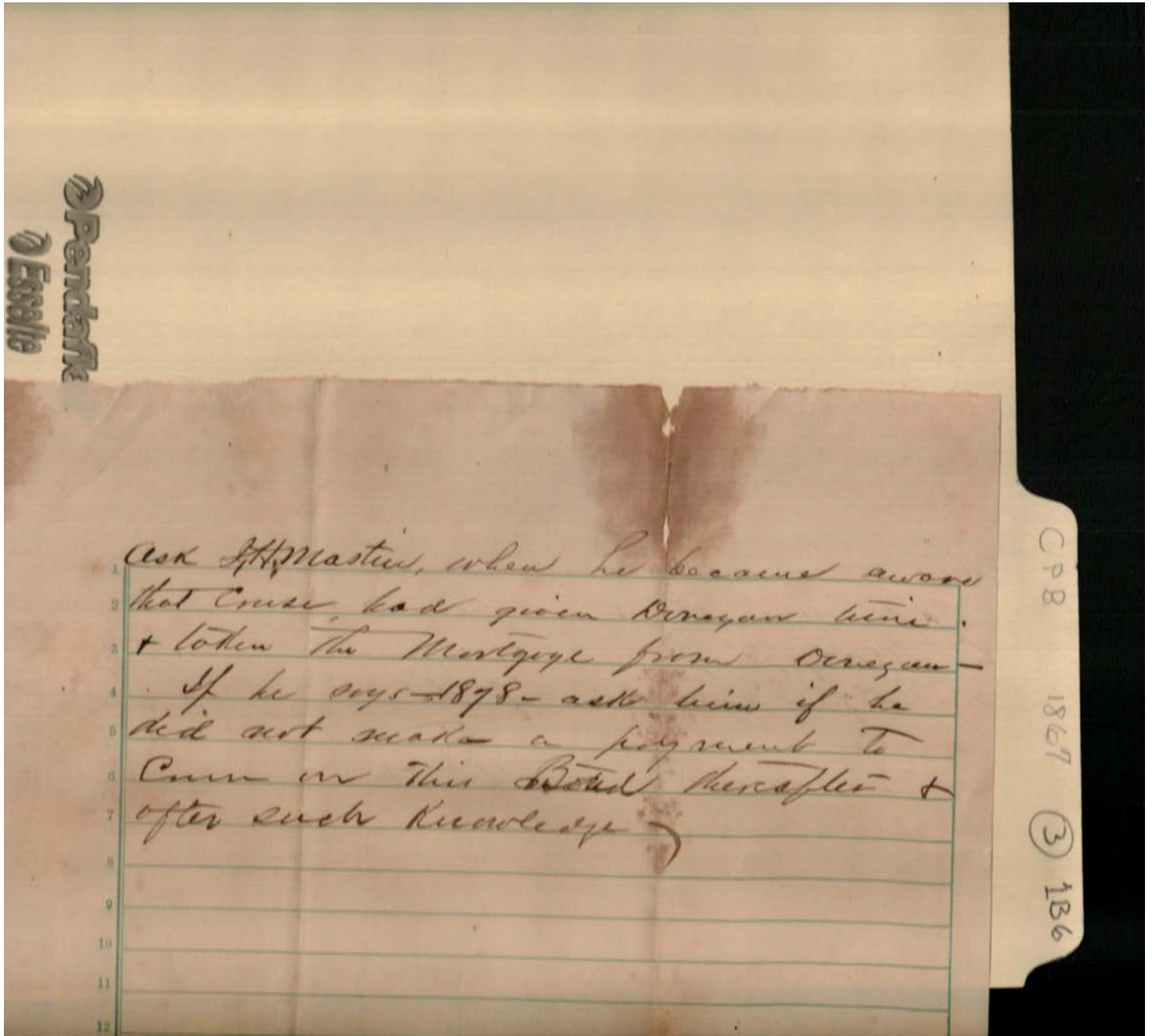
Madison Co., AL

Types:

estate document

Dates:

Nov 1873



ask J. H. Mastin, when he became aware
that Cruse had given Donegan time
& taken the Mortgage from Donegan -
If he says 1878 - ask him if he
did not make a payment to
Cruse on this Bond thereafter &
after such knowledge

CP8
1867
(3)
186

Names:

Cruse,

Donegan,

Mastin, J. H.

Types:

correspondence

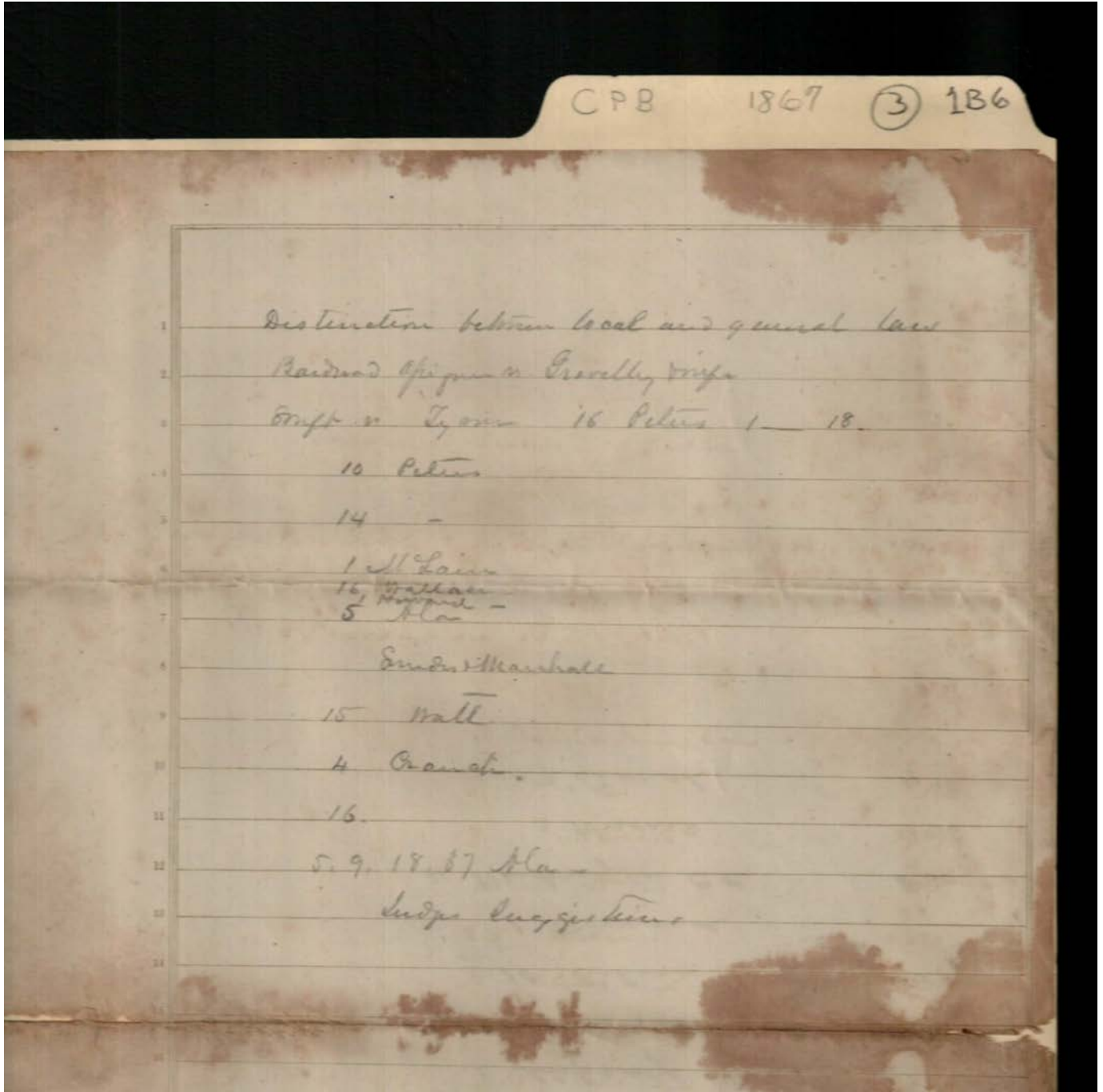
CPB 1867 (3) 186

2 American leading cases	474
Madison v Brown 18 Ala	643
Code of Ala	\$ 3080.
Dist. v Federal Procedure § 281. p	453.
Brandegee on Surety ship	4012.4
Parsons on Bills & notes	240.
30 Miss	424
3 Richardson Law	121
7 Ohio	72
17 " State	157.
6 N H	30
28 Maine	280
11 Metcalf	285-
12 Sumner & Munkell	533
10 Peters	257 ?
1 Howard	220
4 Washington CC	820.
2 Howard	426.
7 Crauch	408.

Cases for legal study

Types:

list



Cases for legal study

Types:

list

CPB 1867 (3) 186

Printed and sold by W. H. & C. Co.

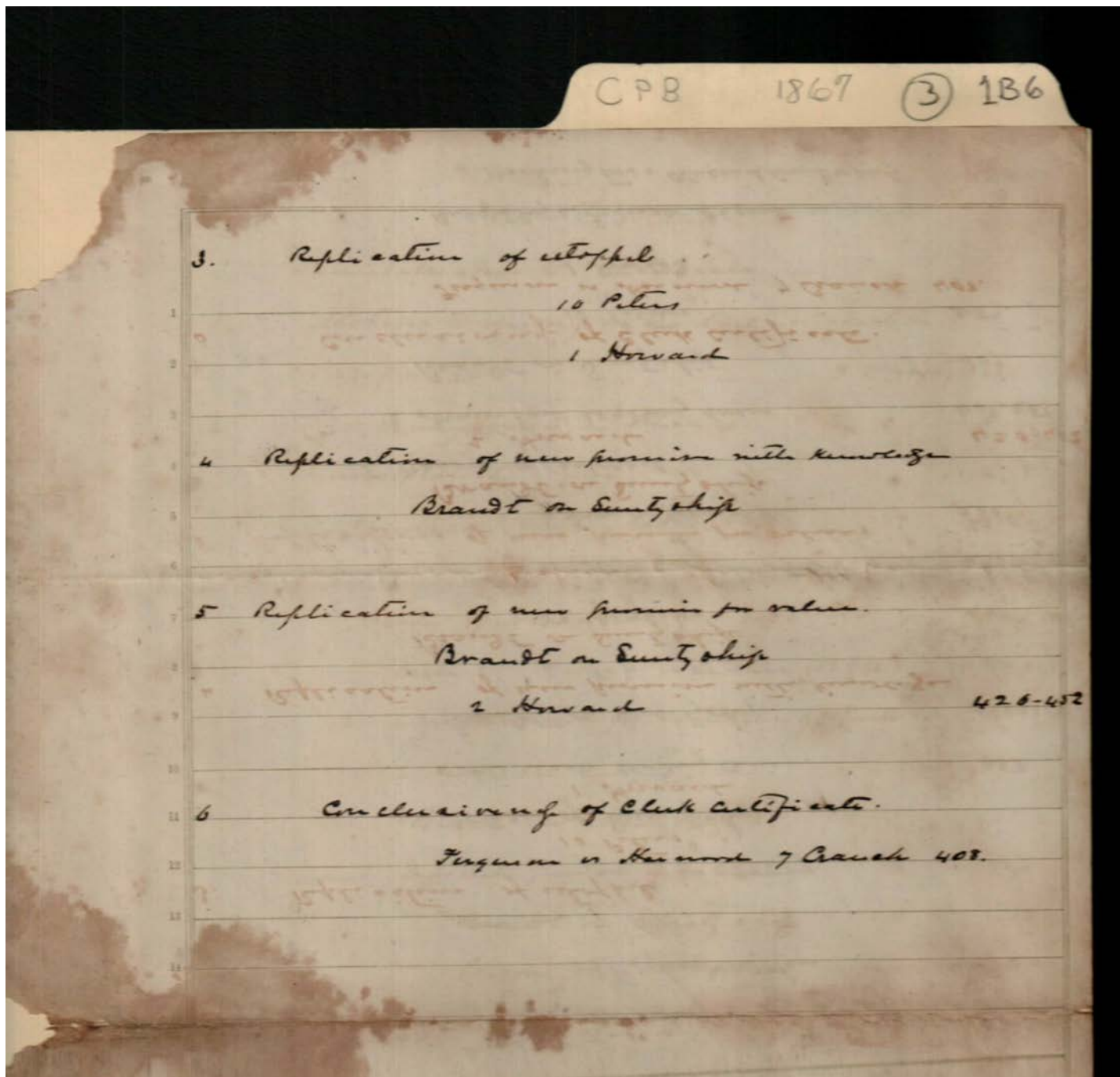
1. Motion to dismiss for want of jurisdiction.	
Childs vs. Perry	9 Wheat 122.
2. Denial to 2 nd plea.	
Uncertainty	
2 American leading cases (N.Y.P.)	474.
(Haden vs. Brown 18 Ala 143)	
Code of Alabama § 3184	230
Daly's Federal Procedure 473 & 561.	
3. Consideration for extension of paper	
2 American leading cases	390.
Brandt on Suretyship	401. 2
3. Definite purpose of extension	
Brandt on Suretyship	400.
Person on file & notes	240.
31. Whipple	424.
3 Richardson law	121.
7. Childs	72.
17. v. State	157.
4. Solera of Suretyship	
2 American leading cases	452.
Brandt on Suretyship	402 & 128.
6. N. H.	11.
29. Whipple	280.
11. Whitt. case	232.
12. Sum. & Marshall	518.
5. Motion or set-off	
2 American leading cases	408. 453.
Brandt on Suretyship	407.
10. Peters	457.
1. Howe	
Whipple's Federal Digest 386.	
4. Washington's Circuit Court reports	620.

(10/10)

Cases for legal study

Types:

list



3. Replication of estoppel

10 Peters

1 Howard

4. Replication of new promise with knowledge

Brandt on Suretyship

5. Replication of new promise for value.

Brandt on Suretyship

2 Howard

428-452

6. Conclusiveness of Clerk certificates.

Ferguson v. Herwood 7 Cranch 408.

Cases for legal study

Types:

list

CPB 1867 (3) 186

Main of discharge by un-jurisdiction Box 5 407 § 303

<p>Quinnball " } Martin }</p>	<p>U S Circuit Court.</p>
1	
<p>Apportion clause of act of Congress giving jurisdiction does not apply to distributees. Payne v. Hoke 7 Wall 425. See to executors or administrators. Childs v. Evans 8 Wheat 162.</p>	
2	
<p>Statutes of States creating right need no adoption by Federal Courts. Childs v. Evans 8 Wheat 162.</p>	
3	
<p>Judge's certificate conclusion of same form of clerk's certificate. Ferguson v. Harwood 7 Cranch 408.</p>	
Summary.	
1. Uncertainty.	
2 American leading cases (1844)	474
Haden v. Brown 18 Ala	643
Code of Ala §	3084
Daly's Federal Procedure	453 § 881
2. Consideration for extension of payment	
2 American leading cases	370
Brandt on Suretyship	401-2.
3. Definite period of extension.	
Brandt on Suretyship	402.
Parsons on Bills & Notes	240.
30 Miss	424.
3 Richardson Law	121
7 Ohio	72
17 " State	159.

Cases for legal study

Types:

list

Frances Cabaniss Roberts Collection: Series 1, Subseries B, Box 6, Folder 3

Legal and court documents, 1867

Image 140 r01b06-03-000-0140

[Contents](#) [Index](#) [About](#)

CPB 1867 (3) 186

4.

4	Police of Sundryship	57-62-227
	2 American Landing cases	458
	Board on Sundryship	442 & 228
	6 A. H.	30.
	28 Marine	292
	11 Hitealy	285
	12 Sound & Hitealy	538
	5 Marine and Sundryship	2-25-23
	2 American Landing cases	448-453
	Board on Sundryship	407
	Marine on Sundryship	
	10 Peties	257
	14 "	201
	5 P. Co vs. Pradley	5 Cranch C.C. 391
	Hurliker's Case	1 " " 320

2/1

Cases for legal study

Types:
list

CPB 1867 (3) 186

John Grimball 1293 }
 James H. Mastin }

The defendant moves the court to dismiss the above entitled cause, because this court has no jurisdiction thereof.

Said suit is upon a bond which bond and is except by the plaintiff as the endorser and holder thereof, and the payee in said bond is not alleged to be a citizen of any other state than the State of Alabama, and defendant moves the fact to be to the contrary, and moves that said suit could not have been instituted by the payee of said bond in this court against the defendant and that this suit by the plaintiff as endorser and holder thereof can not be maintained and the same should be dismissed for want of jurisdiction.

J.P. Walker & Thomas Gordon Shiffers
 attys for defendant & movant

To D.P. Lewis Esq
 atty for plff

Names:

Gordon,
Grimball, John

Humes,
Lewis, D. P.

Mastin, James H.
Morant, T.

Sheffey,
Walker,

Types:

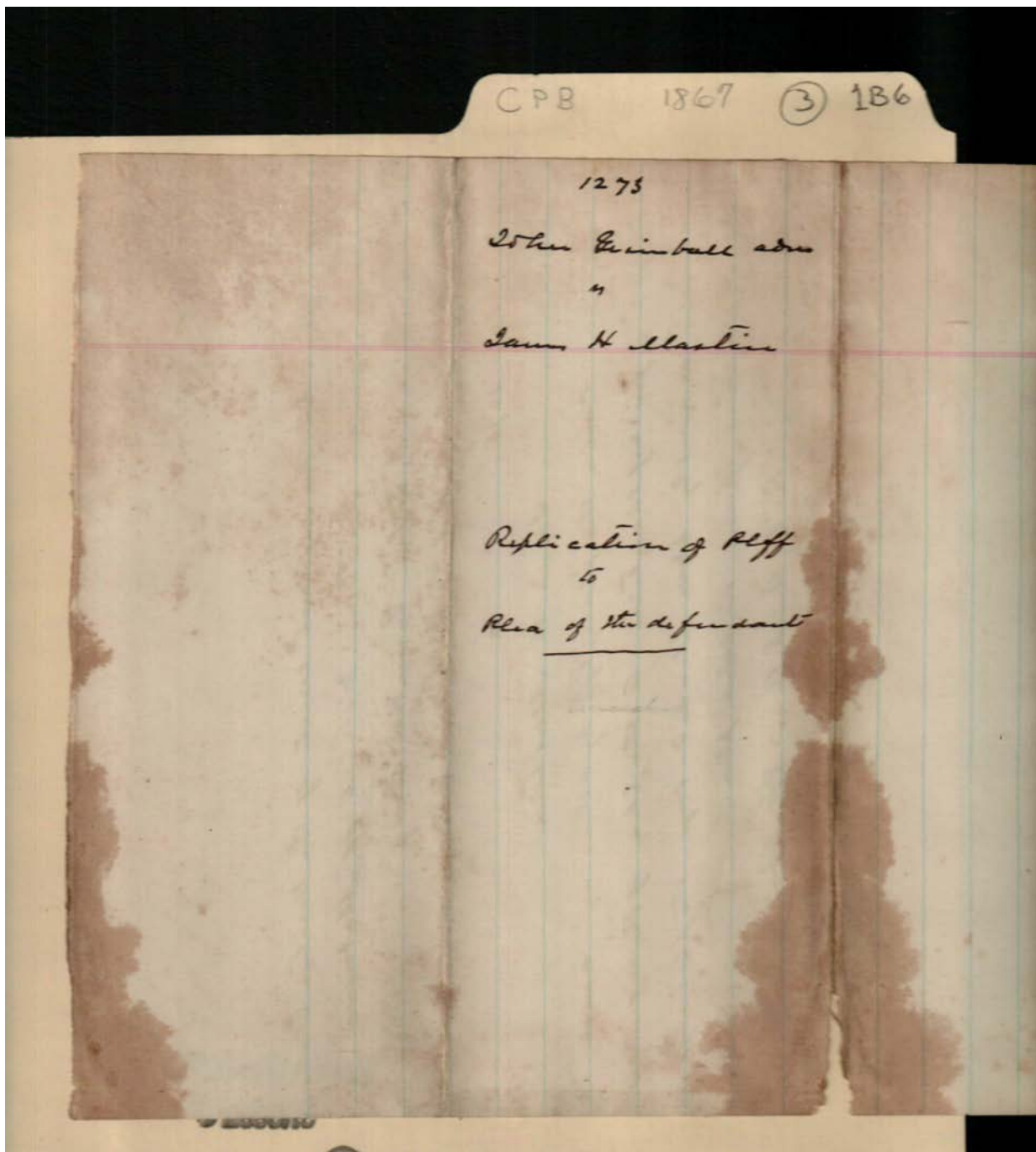
legal motion

CPB 1867 (3) 186

51457 to 520 of Martin C. Bibb }
172 John Henry Bibb: } Aug/70.

	1404	1404	2070	112.82	71.50
	12		1730	37	63
			348		134
1	16848	5417	26.20	33696	
2	5	1551	130-	28.08	
3	50544	63	340-	365.00	
4	4212	1288	470-	134.12	
5	54756	44		230.54	
6		37		1466.	
7		15		1634.54	
8		12		50.	
9				18	
10				1330.	
11		1770			
12					
13					
14					
15					
16					
17					

Types:
numbers



Names:

Grimball, John

Grimball,

Types:

memo

CPB 1867 (3) 1B6

In the circuit court of the United States
for the Northern District of Alabama
John Grimball adm^r
Kate Grimball de^d
1273 vs
James H. Mastin
Comes the plaintiff by attorney and
for replication to the plea of the defendant
be and by above pleaded says the plaintiff
joins issue on said plea.
R. C. Brickell and ~~John~~ Ward
att^ys for pl^t

Names:

Brickell, R. E.
Grimball, John

Grimball, Kate
Mastin, James H.

Ward, F. P.

Types:

legal motion

Frances Cabaniss Roberts Collection: Series 1, Subseries B, Box 6, Folder 3
Legal and court documents, 1867

[Contents](#) [Index](#) [About](#)

Table of Contents

Image 1 (r01b06-03-000-0001)	Image 38 (r01b06-03-000-0038)	Image 75 (r01b06-03-000-0075)	Image 112 (r01b06-03-000-0112)
Image 2 (r01b06-03-000-0002)	Image 39 (r01b06-03-000-0039)	Image 76 (r01b06-03-000-0076)	Image 113 (r01b06-03-000-0113)
Image 3 (r01b06-03-000-0003)	Image 40 (r01b06-03-000-0040)	Image 77 (r01b06-03-000-0077)	Image 114 (r01b06-03-000-0114)
Image 4 (r01b06-03-000-0004)	Image 41 (r01b06-03-000-0041)	Image 78 (r01b06-03-000-0078)	Image 115 (r01b06-03-000-0115)
Image 5 (r01b06-03-000-0005)	Image 42 (r01b06-03-000-0042)	Image 79 (r01b06-03-000-0079)	Image 116 (r01b06-03-000-0116)
Image 6 (r01b06-03-000-0006)	Image 43 (r01b06-03-000-0043)	Image 80 (r01b06-03-000-0080)	Image 117 (r01b06-03-000-0117)
Image 7 (r01b06-03-000-0007)	Image 44 (r01b06-03-000-0044)	Image 81 (r01b06-03-000-0081)	Image 118 (r01b06-03-000-0118)
Image 8 (r01b06-03-000-0008)	Image 45 (r01b06-03-000-0045)	Image 82 (r01b06-03-000-0082)	Image 119 (r01b06-03-000-0119)
Image 9 (r01b06-03-000-0009)	Image 46 (r01b06-03-000-0046)	Image 83 (r01b06-03-000-0083)	Image 120 (r01b06-03-000-0120)
Image 10 (r01b06-03-000-0010)	Image 47 (r01b06-03-000-0047)	Image 84 (r01b06-03-000-0084)	Image 121 (r01b06-03-000-0121)
Image 11 (r01b06-03-000-0011)	Image 48 (r01b06-03-000-0048)	Image 85 (r01b06-03-000-0085)	Image 122 (r01b06-03-000-0122)
Image 12 (r01b06-03-000-0012)	Image 49 (r01b06-03-000-0049)	Image 86 (r01b06-03-000-0086)	Image 123 (r01b06-03-000-0123)
Image 13 (r01b06-03-000-0013)	Image 50 (r01b06-03-000-0050)	Image 87 (r01b06-03-000-0087)	Image 124 (r01b06-03-000-0124)
Image 14 (r01b06-03-000-0014)	Image 51 (r01b06-03-000-0051)	Image 88 (r01b06-03-000-0088)	Image 125 (r01b06-03-000-0125)
Image 15 (r01b06-03-000-0015)	Image 52 (r01b06-03-000-0052)	Image 89 (r01b06-03-000-0089)	Image 126 (r01b06-03-000-0126)
Image 16 (r01b06-03-000-0016)	Image 53 (r01b06-03-000-0053)	Image 90 (r01b06-03-000-0090)	Image 127 (r01b06-03-000-0127)
Image 17 (r01b06-03-000-0017)	Image 54 (r01b06-03-000-0054)	Image 91 (r01b06-03-000-0091)	Image 128 (r01b06-03-000-0128)
Image 18 (r01b06-03-000-0018)	Image 55 (r01b06-03-000-0055)	Image 92 (r01b06-03-000-0092)	Image 129 (r01b06-03-000-0129)
Image 19 (r01b06-03-000-0019)	Image 56 (r01b06-03-000-0056)	Image 93 (r01b06-03-000-0093)	Image 130 (r01b06-03-000-0130)
Image 20 (r01b06-03-000-0020)	Image 57 (r01b06-03-000-0057)	Image 94 (r01b06-03-000-0094)	Image 131 (r01b06-03-000-0131)
Image 21 (r01b06-03-000-0021)	Image 58 (r01b06-03-000-0058)	Image 95 (r01b06-03-000-0095)	Image 132 (r01b06-03-000-0132)
Image 22 (r01b06-03-000-0022)	Image 59 (r01b06-03-000-0059)	Image 96 (r01b06-03-000-0096)	Image 133 (r01b06-03-000-0133)
Image 23 (r01b06-03-000-0023)	Image 60 (r01b06-03-000-0060)	Image 97 (r01b06-03-000-0097)	Image 134 (r01b06-03-000-0134)
Image 24 (r01b06-03-000-0024)	Image 61 (r01b06-03-000-0061)	Image 98 (r01b06-03-000-0098)	Image 135 (r01b06-03-000-0135)
Image 25 (r01b06-03-000-0025)	Image 62 (r01b06-03-000-0062)	Image 99 (r01b06-03-000-0099)	Image 136 (r01b06-03-000-0136)
Image 26 (r01b06-03-000-0026)	Image 63 (r01b06-03-000-0063)	Image 100 (r01b06-03-000-0100)	Image 137 (r01b06-03-000-0137)
Image 27 (r01b06-03-000-0027)	Image 64 (r01b06-03-000-0064)	Image 101 (r01b06-03-000-0101)	Image 138 (r01b06-03-000-0138)
Image 28 (r01b06-03-000-0028)	Image 65 (r01b06-03-000-0065)	Image 102 (r01b06-03-000-0102)	Image 139 (r01b06-03-000-0139)
Image 29 (r01b06-03-000-0029)	Image 66 (r01b06-03-000-0066)	Image 103 (r01b06-03-000-0103)	Image 140 (r01b06-03-000-0140)
Image 30 (r01b06-03-000-0030)	Image 67 (r01b06-03-000-0067)	Image 104 (r01b06-03-000-0104)	Image 141 (r01b06-03-000-0141)
Image 31 (r01b06-03-000-0031)	Image 68 (r01b06-03-000-0068)	Image 105 (r01b06-03-000-0105)	Image 142 (r01b06-03-000-0142)
Image 32 (r01b06-03-000-0032)	Image 69 (r01b06-03-000-0069)	Image 106 (r01b06-03-000-0106)	Image 143 (r01b06-03-000-0143)
Image 33 (r01b06-03-000-0033)	Image 70 (r01b06-03-000-0070)	Image 107 (r01b06-03-000-0107)	Image 144 (r01b06-03-000-0144)
Image 34 (r01b06-03-000-0034)	Image 71 (r01b06-03-000-0071)	Image 108 (r01b06-03-000-0108)	Table of Contents
Image 35 (r01b06-03-000-0035)	Image 72 (r01b06-03-000-0072)	Image 109 (r01b06-03-000-0109)	Name & Place Index
Image 36 (r01b06-03-000-0036)	Image 73 (r01b06-03-000-0073)	Image 110 (r01b06-03-000-0110)	About the Collection
Image 37 (r01b06-03-000-0037)	Image 74 (r01b06-03-000-0074)	Image 111 (r01b06-03-000-0111)	

Frances Cabaniss Roberts Collection: Series 1, Subseries B, Box 6, Folder 3
Legal and court documents, 1867

[Contents](#) [Index](#) [About](#)

Name & Place Index

, Alexander [132](#)
, Frank [46](#)
, Willie [46](#)
, Willis [60](#)
Ables, J. S. [65](#)
Ables, James S. [67](#)
Acklen, Theo [112](#)
Alabama [114](#), [115](#), [118](#), [119](#), [120](#), [121](#), [122](#), [123](#), [124](#),
[125](#)
Alexander, S. S. [13](#)
Ashford, E. L. [60](#)
Avant, Mr. [35](#)
Ballow, Mrs. [48](#)
Ballow, S. A. [48](#)
Bate, Gen. [41](#)
Bate, W. B., Gen. [96](#)
Bean, A. G., Col. [64](#)
Bellefonte, AL [11](#)
Betts, Judge [60](#)
Bierne, George P. [116](#)
Bierne, Oliver [116](#)
Binford, L. H., Dr. [57](#)
Bingham, [35](#)
Boone, Col. [8](#), [128](#), [129](#)
Boone, [7](#), [23](#), [24](#), [25](#), [26](#), [84](#), [87](#), [92](#), [127](#)
Boyd, James [94](#)
Boyd, R. K. [126](#)
Boyd, [93](#)
Brickell, Mr. [101](#)
Brickell, R. E. [121](#), [144](#)
Brickell, William W. [31](#)
Brickell, [102](#)
Brown, J. R. [9](#)
Brown, M. T. [94](#)
Burke, Joseph W. [95](#)
Bynum, H. [28](#)
Bynum, Ross [8](#), [85](#), [86](#)
Cabaniss, Mr. [46](#), [94](#)
Cabiness, S. D., Col. [40](#)
Cabiness, S. D. [1](#), [3](#), [6](#), [8](#), [13](#), [14](#), [22](#), [23](#), [24](#), [25](#), [32](#), [33](#),
[34](#), [35](#), [44](#), [50](#), [53](#), [55](#), [63](#), [64](#), [69](#), [70](#), [71](#), [74](#), [84](#), [86](#),
[87](#), [88](#), [89](#), [92](#), [97](#), [98](#), [106](#), [126](#), [127](#), [128](#)
Cabiness, Septimus [9](#), [27](#), [28](#)
Cabiness, [37](#), [58](#), [62](#), [75](#), [76](#), [96](#), [112](#), [127](#)
Capelle, J. P. [106](#)
Catherine, [121](#)
Centre, AL [44](#)
Chadick, William D. [36](#)
Chapman, Gov. [107](#)
Chapman, R., Gov. [108](#)
Chapman, R. [110](#)
Clark, E. B. [69](#)
Clark, James S. [28](#)
Clay, Edna [53](#)
Clotte, Jack [42](#)
Colcock [13](#)
Coleman, Daniel [36](#)
Columbus, MS [50](#)
Coons, [60](#), [61](#)
Cooper, William [15](#)
Courtland, AL [19](#), [21](#), [27](#), [28](#), [56](#), [59](#)
Cruse, S. R. [119](#)
Cruse, Samuel R. [120](#)
Cruse, [134](#)
Crutcher, James T. [37](#)
Crutcher, Margaret A. [37](#)
Crutcher, Parson [37](#)
Dancy, Charles F. M. [74](#)
Daniel, [107](#), [108](#), [109](#), [110](#), [111](#)
Dargin, J. H. [104](#), [105](#)
Davis, [3](#)
Decatur, AL [74](#)
Dillard, James [60](#)
Donegan, Charles A. [95](#)
Donegan, J. J. [117](#)
Donegan, James J. [116](#), [118](#), [119](#), [122](#), [124](#), [131](#), [132](#),
[133](#)
Donegan, [125](#), [133](#), [134](#)
Elliott, Mr. [79](#)
Erskine, A. N. [116](#), [117](#)
Erskine, Alexander [116](#), [131](#)
Erskine, Michael [116](#), [117](#), [131](#), [132](#), [133](#)
Ewing, Stephen S. [116](#)
Fayetteville, TN [13](#)
Fordyce, Captain [36](#)
Forrest, Gen. [40](#)
Foster, E. H., Col. [76](#)
Foster, [78](#)
Fowlkes, Joseph, Mr. [96](#)
Fowlkes, Samuel [96](#)
Frickel, [101](#)
Gallatin, TN [96](#)
Garrett, Adeline, Miss [96](#)
Garth, W. W., Col. [21](#), [74](#)
Garth, W. W. [19](#), [33](#), [112](#)
Garth, [58](#), [75](#), [76](#), [96](#), [112](#), [127](#)
Gilbreath, Judge [101](#), [102](#)
Gilbreath, [98](#), [100](#)
Gordon, John [35](#)
Gordon, [125](#), [141](#)
Grainball, John [113](#), [124](#)
Grider, A. A. [94](#)
Grimball, John [141](#), [143](#), [144](#)
Grimball, Kate [144](#)

Grimball, [130](#)
Grinball, Catherine M. (Kate) [114](#), [115](#), [118](#), [120](#), [122](#)
Grinball, Catherine M. [123](#), [124](#)
Grinball, John [114](#), [118](#), [119](#), [120](#), [123](#)
Grinball, Kate [124](#)
Grinball, [121](#), [143](#)
Gunter, Daniel [64](#)
Gunter, Ed [64](#)
Gunter, [126](#)
Guntersville, AL [63](#), [64](#), [98](#), [101](#)
Hallum, [96](#)
Hampton, [13](#)
Henry, A. G. [64](#)
Henry, A. G. [63](#)
Higginbotham, J. [6](#)
Hudson, James M., Dr. [93](#)
Humes, [125](#), [141](#)
Hunter, J. [6](#)
Huntsville, AL [15](#), [16](#), [18](#), [29](#), [31](#), [33](#), [45](#), [70](#), [72](#), [95](#),
[112](#), [116](#), [126](#), [127](#)
Jacinto, MS. [8](#)
Jacinto, MS [1](#), [3](#), [22](#), [23](#), [24](#), [25](#), [26](#), [84](#), [87](#), [92](#), [128](#)
Jamar, R. [6](#)
Jefferson, Marion Co., TX [66](#)
Johnson, [7](#), [87](#), [88](#), [92](#)
Kibble, Col [35](#)
King, J. H. [87](#), [88](#)
King, [7](#), [92](#)
LaGrange Military Academy [54](#)
Larkin, [40](#)
Lawrence Co., AL [20](#)
Leftwich, Mrs. [47](#)
Leftwich, William L. [49](#)
Leftwich, William [48](#)
Leiber, M. [102](#)
Leiber, Mr. [101](#)
Lemore, Col. [42](#)
Lewis, D. P. [141](#)
Lewis, [107](#), [108](#), [109](#), [110](#), [111](#)
Lile, Lucian J. [20](#)
Lile, Thomas [20](#), [21](#)
Lile, Tom [19](#)
Lincoln Co. TN [14](#)
Logwood, Bert [56](#)
Lowe, Mrs. [76](#), [77](#), [80](#), [81](#)
Lusk, Judge [98](#)
Madin, John [39](#)
Madison Co., AL [37](#), [38](#), [67](#), [133](#)
Malloy, [13](#)
Marbury, [102](#), [103](#)
Marion Co., TX [65](#)
Marlbrough, Mr. [101](#)
Martin, John [40](#)
Martin, Joseph [133](#)
Masters, M. [102](#)
Mastin, J. H. [116](#), [117](#), [119](#), [123](#), [134](#)
Mastin, James H. [113](#), [114](#), [118](#), [122](#), [124](#), [131](#), [133](#),
[141](#), [144](#)
Mastin, [130](#), [132](#)
Mastinson, [76](#)
Mayhew, [77](#)
McCartney, Mrs. [80](#)
McCauley [13](#)
McClelland, M. Vandervort [106](#)
McClung, F. A. [54](#), [55](#)
McClung, M. M., Mrs. [45](#)
McClung, Mrs. [46](#)
McCullough, A. W. [123](#), [124](#)
McDavid, John J. [31](#)
McDonald, J. H. M. [20](#)
McGlaugherty, James [117](#)
McMiullen, [68](#)
McMullen, W. B. [69](#)
Miller, J. M. [117](#)
Miller, [96](#)
Mississippi Index Newspaper [52](#)
Mississippi Index [51](#)
Mississippi [75](#)
Moore, Birdie [70](#), [71](#)
Moore, Catherine [118](#), [120](#), [122](#), [131](#)
Moore, David [116](#), [131](#)
Moore, Hugh N. [65](#), [66](#), [67](#)
Moore, William H. [72](#), [110](#), [111](#)
Moore, William [109](#)
Moore, [98](#)
Morant, T. [141](#)
Morrow, Samuel F. [49](#)
Mosley, John L. [66](#)
Mosley, William [80](#)
Murfreesboro, TN [35](#), [36](#)
Murphy, Virgil A. [75](#)
Murphy, [112](#)
Murrow, James F. [72](#)
Neal, [18](#)
New York, NY [107](#), [109](#), [111](#)
Newark, NJ [17](#)
Nickles, R. [98](#)
Oakley, Mr. [28](#)
Oakwood, Huntsville, AL [71](#)
Patton, Charles H. [131](#)
Patton, John [45](#)
Patton, Mr. [46](#)
Perlish, [102](#)
Phinizy, John [81](#), [82](#)
Pickens, J. A. [49](#)
Ragland, P. [4](#), [5](#), [12](#)
Reynolds, L. P. [3](#), [24](#), [26](#), [85](#), [86](#), [129](#)
Reynolds, [7](#), [23](#), [25](#), [26](#), [83](#), [84](#), [87](#), [89](#), [91](#), [92](#), [127](#), [129](#)
Rienzi, MS [86](#)
Rison, John L. [114](#), [119](#), [120](#), [121](#)
Rison, [18](#), [115](#)
Robinson, Fannie, [105](#)
Robinson, Fannie [18](#), [104](#)
Robinson, [101](#)
Rogers, Benjamin, Mr. [96](#)
Ryerson, C. B. [104](#)
Sampson, Lucy [56](#)
Scruggs, J. H. [32](#), [48](#)

Scruggs, James H. [33](#)
Scruggs, John W. [95](#)
Sewell, Joseph [75](#)
Sheffey, [125](#), [141](#)
Shelton, John A. [12](#)
Shoulders, Margaret, Mrs. [96](#)
Slaughter, Dr. [37](#)
Smith, C. E. [13](#)
Spragins, Robert S., Mr. [38](#)
St. Joseph [53](#)
St. Louis, MO [106](#)
Stowe, Lindsay L. [54](#)
Sweany, E. M. [38](#)
Sykes, Dr. [57](#)
Sykes, W. J. [50](#)
Tate, A. [6](#)
Tate, [35](#)
Taylor, John M. [75](#)
Taylor, William F. [14](#)
Terot, Edward [57](#)
Thomason, H. A. [13](#)
Thompson, B [6](#)
Topeka, KS [41](#)
Townsend, Samuel [11](#), [127](#)
Tuscumbia, AL [54](#), [55](#)
Unionville [9](#)
Veal, Frank [65](#), [66](#), [67](#)
Wade, D. [87](#)
Wade, David [128](#)
Wade, [7](#), [84](#)
Walker, L. P. [16](#), [125](#)
Walker, Leroy P. [17](#)
Walker, R. W. [118](#), [119](#), [120](#), [122](#), [131](#)
Walker, [101](#), [102](#), [132](#), [141](#)
Wallace, Robert [127](#)
Ward, F .P. [121](#), [144](#)
Ward, F. P. [29](#), [31](#), [59](#), [73](#)
Ward, Mr. [46](#)
Ward, P. F. [60](#)
Ward, [48](#), [58](#), [75](#), [76](#), [96](#), [112](#), [127](#)
Ware, Ryan [56](#)
Webb, W. P. [17](#)
Weeden, W. W. [31](#)
White, S., Mrs [112](#)
Williams, Thomas R. [10](#)
Winona, MS [76](#), [77](#), [78](#), [79](#), [80](#), [81](#), [82](#)
Witherspoon, [35](#)
Wyeth, L. [100](#)
Wyeth, [103](#)

Frances Cabaniss Roberts Collection

Preferred Citation: Frances Cabaniss Roberts Collection, Archives and Special Collections, M. Louis Salmon Library, University of Alabama in Huntsville, Huntsville, AL.

Collection Scope and Content: The Collection of 114 Linear ft. includes a total of 156 Archival Boxes. The Frances Cabaniss Roberts collection covers the historical records of the Cabaniss Roberts family. This collection contains extensive correspondence records of the Cabaniss Roberts family circa 1830 to 1930.

Archives/Special Collections Access Restrictions: None

Conditions Governing Use: This material may be protected under U. S. Copyright Law (Title 17, U.S. Code) which governs the making of photocopies or reproductions of copyrighted materials. You may use the digitized material for private study, scholarship, or research. Though the University of Alabama in Huntsville Archives and Special Collections has physical ownership of the material in its collections, in some cases we may not own the copyright to the material. It is the patron's obligation to determine and satisfy copyright restrictions when publishing or otherwise distributing materials found in our collections.

Provenance: Gift of Johanna Shields on October 28, 2006.



THE UNIVERSITY OF
ALABAMA IN HUNTSVILLE

**The UAH Archives and Special Collections
M. Louis Salmon Library**